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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JANUARY 7, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Approval of Consent Calendar
4. Police Commission Report
 - a. Motion of Calendaring of New Items
5. Chief's Report to the Police Commission
6. OCC Director's Report to the Police Commission
7. Discussion and Action re: Implementation of \$1.00 (One Dollar) Registration Assessment on Vehicles Registered in the City and County of San Francisco
8. Discussion and Action re: Taxicab Medallion Revocation Hearings
9. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)
10. Hearing and Disposition on Disciplinary Charges filed against Officer Davin Cole, Ingleside, and Officer Michael R. Robison, Mission (File No. C0291-95 BSK)

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CONSENT CALENDAR

1. Request of the Chief of Police for Approval to Accept Gift of \$40.00 from Ms. Dorothy Bennett for the Friends of the San Francisco Police Department
2. Request of the Chief of Police for Approval of Ramped Taxicab Permit for the following applicants:

Ronald Brothers Mark Chan Christopher Forgerson

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(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

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SAN FRANCISCO
PUBLIC LIBRARYJANUARY 7, 1998REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Chan, Petrillo, Perry

APPROVAL OF CONSENT CALENDARRESOLUTION NO. 1-98APPROVAL TO ACCEPT GIFT OF \$40.00 FROM MS. DOROTHY BENNETT FOR THE FRIENDS OF THE SAN FRANCISCO POLICE DEPARTMENT

RESOLVED, that the Police Commission approves request of the Chief of Police to accept gift of \$40.00 from Ms. Dorothy Bennett for the Friends of the San Francisco Police Department.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

RESOLUTION NO. 2-98APPROVAL OF RAMPED TAXICAB OWNER'S PERMITS

WHEREAS, the Police Commission, on September 4, 1996, as per Resolution 151-96, declared that Public Convenience & Necessity requires the issuance of twenty (20) additional ramped taxicab permits; therefore be it

RESOLVED, that the following named individuals, based on their applications and the San Francisco Permit Bureau certifications, are qualified to hold a motor vehicle for hire permit, that said ramped taxicab owner permits shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and are hereby granted to the following individuals:

Ronald Brothers Mark Chan Christopher Forgerson

AYES: Commissioner Norman, Herrera, Chan, Petrillo, Perry

POLICE COMMISSION REPORTa. Motion of Calendaring of New Items

Commissioner Perry stated she will not be at next meeting.

Commissioner Petrillo will be out of town.

Commissioner Herrera will be out of town from the 18th to the 25th.

Commissioner Norman will be out of town from February 18th to the 25th.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Lau discussed Proposition 215 and stated the department remains compassionate but must enforce the law. The Chief discussed article in the weekly publication in regards to Proposition 215 and the raid on the jurisdiction and was placed under a former commander who subsequently became a deputy chief.

Commissioner Norman asked the Chief if he has requested or if i



appropriate for the department to ask for a retraction since most of the information is inaccurate. Commissioner Norman also stated that it is extremely important that what the Chief is clarifying be reported and be recorded because it's not only the Police Chief but it's also the Commission who supports the rights of people who need to use medicinal marijuana. She requested that there be a public statement by the publishers and/or an article that would clarify for the community the correct and appropriate stands the department is taking and has been taking.

Ron McLashen presented the "Spirit of the Law Award" to Officers Brian Watkins and Joseph Cordes. Kim Burton, Mayor's Criminal Justice Council presented Proclamation to the officers and Chief Lau presented Certificate on behalf of the Department and the Commission.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Director Dunlap stated that the Board of Supervisors passed supplemental appropriation on January 5th to hire three new investigators. She stated that training will begin January 12th.

She further stated that Barbara Attard resigned to take Director's position in Berkeley and that applications are available for position.

RESOLUTION NO. 3-98

APPROVAL TO IMPLEMENT \$1 (ONE DOLLAR) REGISTRATION ASSESSMENT

WHEREAS, Section 9250.19 has been added to the Vehicle Code to authorize upon adoption of a resolution of the Board of Supervisors, a fee of one dollar to be paid at the time of registration, renewal, or supplemental application for apportioned registration pursuant to Article 4 (commencing with Section 8050) of Chapter 4 of every vehicle registered to an address within the county, except those expressly exempted from payment of registration fees; and

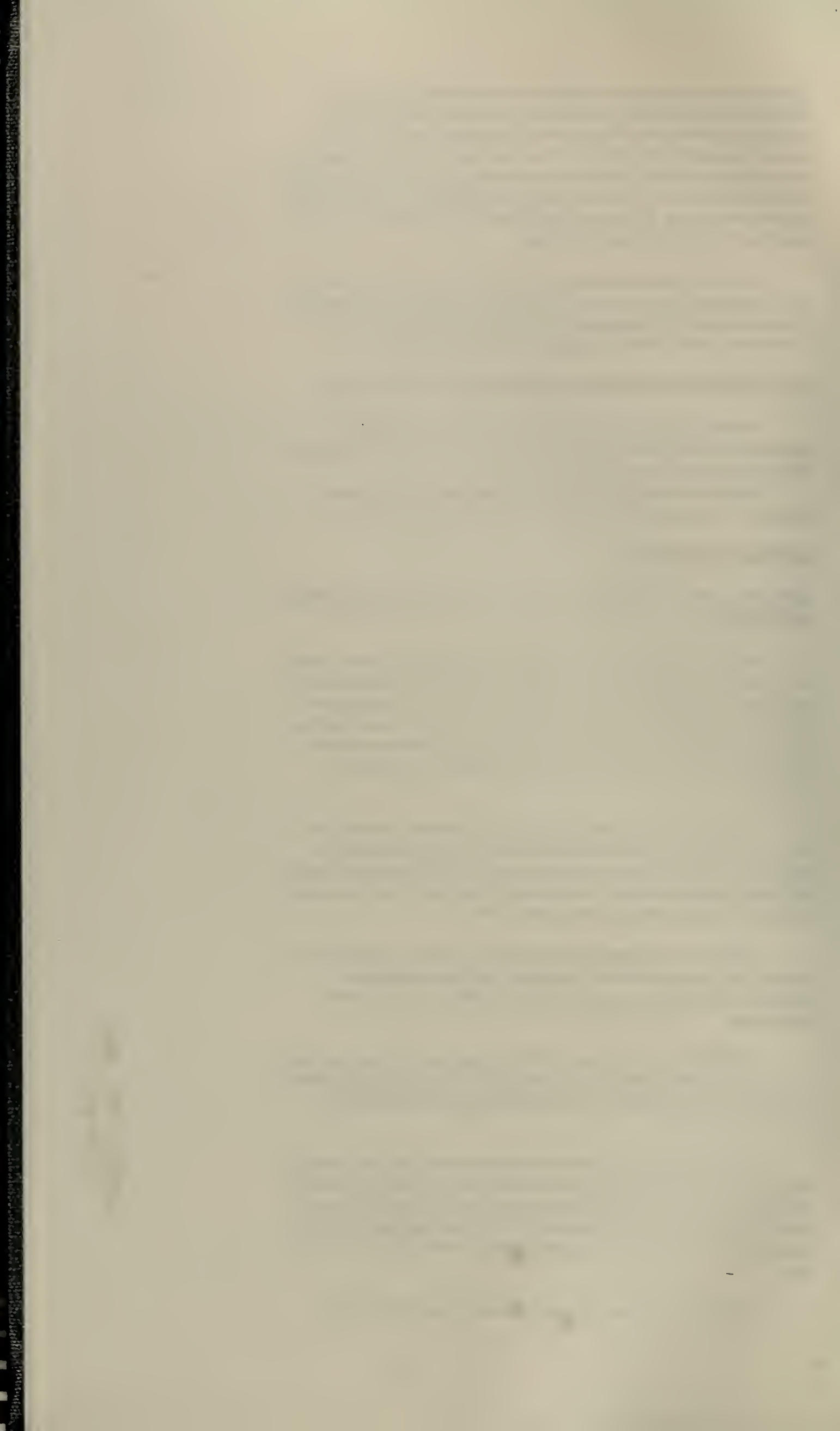
WHEREAS, funds allocated pursuant to California Vehicle Code Section 9250.19, shall be expended exclusively to fund programs which enhance the capacity of local law enforcement to provide automated mobile and fixed location fingerprint identification of individuals involved in crimes committed while operating a motor vehicle; and

WHEREAS, the San Francisco Police Department, in conjunction with the San Francisco Sheriffs Department, operates an automated fingerprint identification system and desires to enhance and expand the system; and

WHEREAS, the San Francisco Police Department desires to receive funds under California Vehicle Code Section 9250.19 to be expended for the enhancement and expansion of the automated fingerprint identification system; therefore be it

RESOLVED, that the Police Commission hereby requests the Board of Supervisors of the City and County of San Francisco to adopt the attached resolution which will grant the San Francisco Police Department the funds from California Vehicle Code Section 9250.19. This section will expire on December 31, 2002, unless a later enacted State Statute deletes or extends the date.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry



**DISCUSSION AND ACTION RE: TAXICAB MEDALLION
REVOCATION HEARINGS**

Captain Ehrlich presented hearing procedure.

Commissioner Norman asked that the matter be put over one week.

Mark Gruber discussed concerns.

Dan Heinge, General Manager DeSoto Cab Co., discussed management concerns as medallion holders.

Jotek Kojela discussed concerns.

Michael discussed concerns.

William Lazar, Vice President, General Manager Luxor Cab, discussed issue of medallion holders who are sick.

Jack Trad, medallion holder, discussed concerns.

Put over one week to January 14th.

PUBLIC COMMENTS

Bruce Oka, Paratransit Task Force, stated need for more ramped taxis.

Mark Grueber discussed concerns.

**HEARING OF OFFICERS DAVIN COLE, INGLESIDE, AND
MICHAEL R. ROBISON, MISSION (FILE NO. C0291-BSK)**

The hearing of Officer Davin Cole, Star No. 850, Ingleside Station, and Officer Michael R. Robison, Star No. 907, Mission Station, was called it having been set for this date.

Officer Davin Cole was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Unwarranted Action (a violation of Rule 9 of General Order 2.01 of the San Francisco Police Department);

SPECIFICATION NO. 2

Racial Slur (a violation of Rule 14 of General Order 2.01 of the San Francisco Police Department);

SPECIFICATION NO. 3

Unwarranted Action (a violation of Rule 9 of General Order 2.01 of the San Francisco Police Department);

SPECIFICATION NO. 4

Neglect of Duty (a violation of Rule 21 of General Order 2.01 of the San Francisco Police Department);

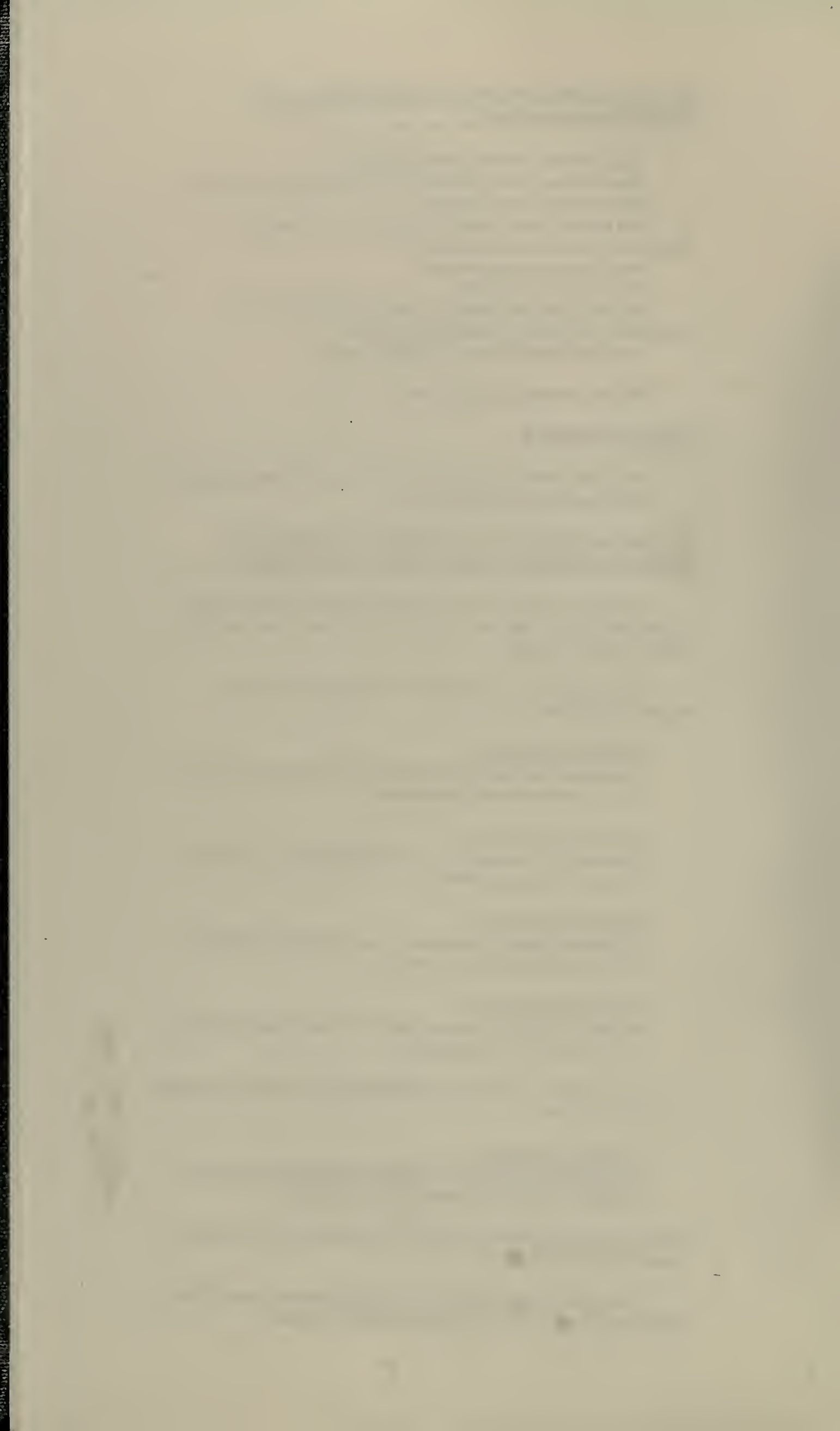
Officer Michael R. Robison was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Neglect of Duty (failure to provide answers truthfully and without evasion, in violation of General Order 2.01, Rule 21)

in properly verified complaints by Fred H. Lau, Chief of Police of the San Francisco Police Department.

Ms. Diane Chin, Attorney at Law, appeared on behalf of the Office of Citizen Complaints and the San Francisco Police Department.



Officers Cole and Robison appeared in person and were represented by Ms. Katherine Mahoney, Attorney at Law.

Closing arguments were made by Ms. Chin and Ms. Mahoney.

The Commission took the matter under submission, recessed and returned, after which the following resolution was adopted:

RESOLUTION NO. 4-98

DECISION - HEARING OF OFFICERS DAVIN COLE, INGLESIDE STATION, AND OFFICER MICHAEL R. ROBISON, MISSION STATION (FILE NO. C0921-95 BSK)

WHEREAS, on April 15, 1996, Fred H. Lau, Chief of Police of the San Francisco Police Department, made and served charges against Officer Davin Cole, as follows:

SPECIFICATION NO. 1

Unwarranted Action (a violation of Rule 9 of General Order 2.01 of the San Francisco Police Department);

- (1) At all times herein mentioned, Davin Cole, Star Number 850 (hereinafter referred to as "the accused") was a police officer employed by the San Francisco Police Department);
- (2) As a police officer, the accused was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;
- (3) At the above time and location, the accused did place his loaded firearm under the chin of Michael A. Thompson (hereinafter the "Complainant") without legal cause, justification or reason, in violation of training and procedures of the San Francisco Police Department;
- (4) These actions also constitute a violation of Rule 9 of General Order 2.01, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, although not specifically defined or set forth in Department policies and procedures, shall be considered unofficer-like conduct subject to disciplinary action."

SPECIFICATION NO. 2

Racial Slur (a violation of Rule 14 of General Order 2.02 of the San Francisco Police Department);

- (5) The accused did use a racial slur in that he called the complainant a "nigger" in violation of Rule 14 of General Order 2.01, which states:

"When acting in the performance of their duties, while on or off duty, members shall treat the public with courtesy and respect and not use harsh, profane or uncivil language."

SPECIFICATION NO. 3

Unwarranted Action (a violation of Rule 9 of General Order 2.01 of the San Francisco Police Department);

- (6) The accused did conduct an unwarranted and illegal search of the complainant's automobile in violation of all applicable laws and Rule 9 of General order 2.01;

SPECIFICATION NO. 4

Neglect of Duty (a violation of Rule 21 of General Order 2.01 of the San Francisco Police Department);

- (7) On or about June 1, 1995, at the offices of the Office of Citizen Complaints, the accused did fail for answer questions truthfully and without evasion during his interview with the investigator, a violation of Rule 21 of General Order 2.01, which states:

“Members shall, when questioned on matters relating to their employment with the Department by a superior officer or by one designated by a superior officer, or by a member of the Office of Citizen Complaints, answer all questions truthfully and without evasion.”

WHEREAS, on August 19, 1996, Fred H. Lau, Chief of Police of the San Francisco Police Department, made and served amended charges against Officer Michael R. Robison, as follows:

SPECIFICATION NO. 1

Neglect of Duty (failure to provide answers truthfully and without evasion, in violation of General Order 2.01, Rule 21);

- (1) At all times herein mentioned, Michael R. Robison, Star Number 907, (hereinafter referred to as “the Accused Officer”) was and is a police officer employed by the San Francisco Police Department, assigned to Potrero Station;
- (2) As a police officer, the Accused Officer was and is responsible for knowing and obeying rules, orders and procedures of the San Francisco Police Department;
- (3) On or about April 18, 1995, the Accused Officer was present when his partner, Star Number 850, improperly placed a loaded firearm under the chin of a civilian, used a racial slur in calling the civilian a “nigger,” and conducted an unwarranted and illegal vehicle search;
- (4) On or about May 31, 1995, during an OCC interview regarding the April 18, 1995 incident, the Accused Officer denied that any of the acts described above occurred;
- (5) By not telling the truth during an OCC investigation, the Accused Officer violated Rule 21 of Department General Order 2.01 of the San Francisco Police Department, which states in part:

“Cooperation with Investigators, members shall, when questioned on matters relating to their employment with the Department by a superior officer or by one designated by a superior officer, or by a member of the Office of Citizen Complaints, answer all questions truthfully and without evasion.”

WHEREAS, hearing on said charges were held before the Commission pursuant to Section 8.343 of the Charter of the City and County

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of San Francisco on October 9, 1997 and October 10, 1997, and on Wednesday, January 7, 1998, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that said charges made and filed against Officer Davin Cole, as contained in Specification Nos. 1, 2, 3, and 4, and Officer Michael Robison, as contained in Specification No. 1, are not sustained by the evidence presented at the hearings; therefore be it

RESOLVED, that it is the order of the Police Commission that said charges contained in Specifications Nos. 1, 2, 3 and 4 against Officer Cole and charges contained in Specification No. 1 against Officer Robison be, and the same are hereby dismissed, as follows:

OFFICER DAVIN COLE:

Specification No. 1 - Not Sustain
Specification No. 2 - Not Sustain
Specification No. 3 - Not Sustain
Specification No. 4 - Not Sustain

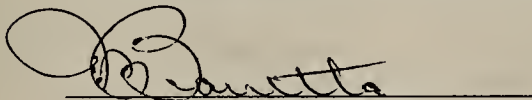
OFFICER MICHAEL ROBISON

Specification No. 1 - Not Sustain

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

(The entire proceedings were taken down in shorthand form by Ms. Linda Pransky, CSR.)

Thereafter, the meeting was adjourned.



Lieutenant Manuel Barretta

Secretary

THE POLICE COMMISSION



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SAN FRANCISCO
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**PROCEDURAL HEARING FOR TAKING OF EVIDENCE BY
COMMISSIONER DENNIS HERRERA IN THE CHARGES FILED
AGAINST OFFICER ROBERT A. TAYAC, NARCOTICS
(FILE NO. C96-179 (331) JWA)**

The hearing for taking of evidence in the disciplinary charges filed against Officer Robert A. Tayac, Narcotics, was called at 9:20 a.m., it having been continued from November 18, 1997.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Officer Robert A. Tayac appeared in person and was represented by Mr. John Prentice, Attorney at Law.

The following witnesses appeared for the Department, were sworn and testified:

Officer Chris Pedrine
Sergeant Ed Dullea
Sergeant Raymond Kilroy

The following exhibit was entered for identification only by the Department:

Exhibit No. 4 Copy of Responsibilities of Q-2s (page 2)

The following exhibits were identified and entered into evidence by the Department:

Exhibit No. 5	Copy of SFPD Logscan of Erna Pahe for April and May 1996
Exhibit No. 6	Copy of SFPD Cellular Phone Records re: Sgt. Kevin Taylor, dated May 31, 1996
Exhibit No. 7	Copy of Transcript and Tape of Communication Tape from Oakland PD, dated May 31, 1996
Exhibit No. 8	Copy of Police Report #960737094 (5 pages)
Exhibit No. 9	Computer Printout dated May 15, 1996 to June 15, 1996 Officer R. Tayac
Exhibit No. 10	Copy of Log scan of Erna Pahe
Exhibit No. 11	Copies of computer printouts re: Alex Alday
Exhibit No. 12	Copy of Letter to Chief Lau from Joseph Samuels, dated June 7, 1996 (2 pages)
Exhibit No. 13	Copy of Department Bulletin #94-109
Exhibit No. 14	Copy of Department Bulletin #95-277
Exhibit No. 15	Copy of Penal Code Section 502
Exhibit No. 16	Copy of California Government Code Sections 15150- 15167

The following witnesses appeared for the Defense, were sworn and testified:

Barbara Ramsey
Sally Gallegos
Norman Waukazoo

The following exhibits were entered for identification by the Defense:

Exhibit B1 Copy of memo dated June 3, 1996 to Concerned
Employees of UIHB
Exhibit B2 Copy of Resolution of Urban Indian Health Board Inc.
Exhibit D Copies of Newspaper Articles

The meeting was then adjourned, to be continued at a later date.

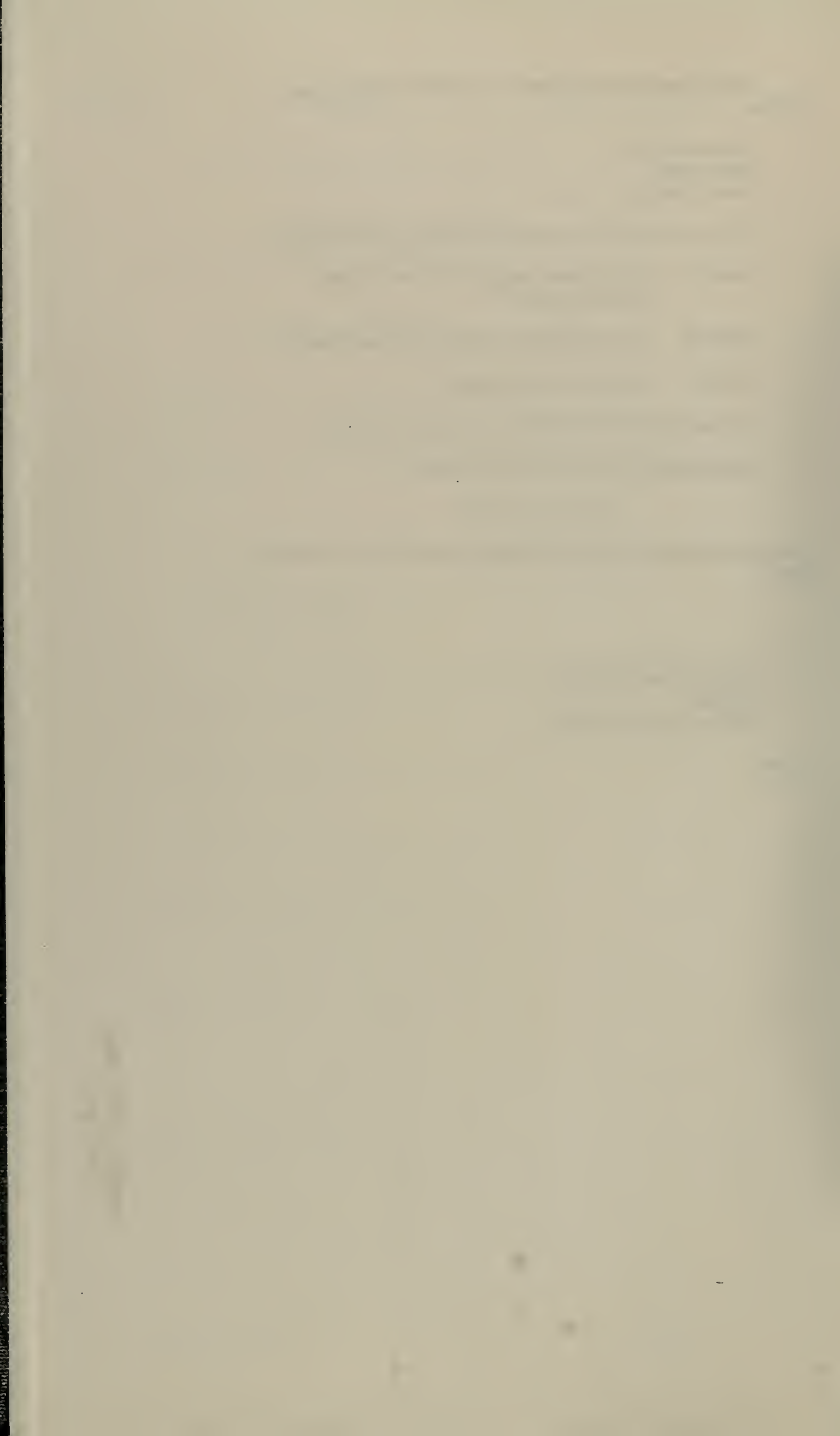
Recess taken during the hearing of Officer Tayac:

10:45 a.m. - 10:58 a.m.

(The entire proceedings were taken in shorthand form by Mr. Dave Davenport, CSR.)

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

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LT. MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Police Commission Report
 - a. Motion of Calendaring of New Items
 - b. Notification of Resignation of Officer Manolo Rosal, Support Services (File No. C97-105 JWA)
4. Chief's Report to the Police Commission
5. OCC Director's Report to the Police Commission
6. Request of the Chief of Police to Accept Donation of Live Scan Fingerprint Machine, valued at \$43,000, from the State of California
7. Discussion and Action re: Taxicab Medallion Revocation Hearings
8. Discussion, Action and Possible Disposition re: Charges filed against Officer William T. Taylor, Star No. 1702, Ingleside (Case No. C96-147(300)JWA)
9. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)

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The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Chan, Petrillo
ABSENT: Commissioner Perry

POLICE COMMISSION REPORT

- a. Motion of Calendaring of New Items
- b. Notification of Resignation of Officer Manolo Rosal, Support Services (File No. C97-105 JWA)

Commissioner Herrera discussed budget preparation. Commissioner suggested that the opportunity to get new money for new initiatives that the department wants to fund is to schedule either one or more series of budget presentations meetings to the Commission to let the Commission know where the department is going to go and what is anticipated so that the Commission and the Department can prioritize what is needed before sending budget request to the Board of Supervisors and the Mayor's office.

Commissioner Petrillo presented the United Way plaque to Chief Lau for the Department's participation in combined charities campaign. Chief Lau accepted on behalf of the department.

No meeting on Wednesday, January 28th.

RESOLUTION NO. 5-98HEARING OF OFFICER MANOLO ROSAL, SUPPORT SERVICES
(FILE NO. C97-105 JWA)

WHEREAS, on August 7, 1997, Fred H. Lau, Chief of Police, made and served charges against Police Officer Manolo Rosal, Star No. 1541, as follows:

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order, efficiency and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to answer truthfully and without evasion when questioned by a superior officer (violation of Rule 21 of Department General Order 2.01 of the San Francisco Police Department);

and

WHEREAS, Officer Manolo A. Rosal, Star No. 1541, Support Services, submitted his resignation from the San Francisco Police Department effective close of business on Wednesday, December 31, 1997; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Officer Manolo A. Rosal, Star No. 1541, be, and the same are hereby continued off calendar.

AYES: Commissioners Norman, Herrera, Chan, Petrillo
ABSENT: Commissioner Perry

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Lau asked that Commissioner Petrillo be on the Task Force regarding Prop 215.

The Chief discussed preparation for the Chinese New Year's celebration.

Deputy Chief Willett briefed the Commission on persons impersonating police officers. Commissioner Chan discussed security at the Hall of Justice.

Commissioner Norman inquired regarding Prop 215 enforcement.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Director Dunlap discussed new staff and new investigators now training.

RESOLUTION NO. 6-98

APPROVAL TO ACCEPT DONATION OF LIVE SCAN FINGERPRINT MACHINE FROM THE STATE OF CALIFORNIA

WHEREAS, the San Francisco Police Department is in the need of a Live Scan Fingerprint Machine and printer capable of electronically transmitting fingerprint cards of arrested persons to the State of California Fingerprint Identification System (CAL-ID); and

WHEREAS, the State of California has generously offered to donate a Live Scan Fingerprint Machine and printer, valued at \$43,000, to the San Francisco Police Department; and

WHEREAS, it is necessary to obtain authorization from the Board of Supervisors by a resolution in order to accept gifts to the Police Department which have a value over \$5,000; now, therefore be it

RESOLVED, that the Police Commission hereby requests the Board of Supervisors of the City and County of San Francisco to adopt the attached resolution which will grant the Chief of Police, on behalf of the San Francisco Police Department, authority to accept the gift of a Live Scan Fingerprint Machine and printer, valued at \$43,000, from the State of California for use in processing persons arrested in the City and County of San Francisco.

AYES: Commissioners Norman, Herrera, Chan, Petrillo
ABSENT: Commissioner Perry

RESOLUTION NO. 7-98

PROCEDURE FOR TAXICAB REVOCATION HEARINGS

WHEREAS, it's anticipated that there may be around 70 taxicab medallion revocation requests from the Taxicab Detail based on their audits of whether post Proposition K are owners and drivers. The last taxicab medallion revocation was seven years ago and was not contested; and

WHEREAS, under Proposition K, the Police Commission is directly responsible for Taxicab Medallion permits from their issuance to revocation and the Chief is responsible for all other police department permits; and

WHEREAS, the current procedures for permit hearings are as follows: A public hearing is tape recorded in front of the Chief's Hearing Officer. The Department, the permit applicant or permit holder, and the public offer written

or oral testimony. The hearing officer summarizes the testimony and gives conclusions and recommendations in writing to the Chief with ten days and the Chief has five days to make a decision; therefore be it

RESOLVED, that the Police Commission hereby adopts the same procedures for Permit Hearings.

AYES: Commissioners Norman, Herrera, Chan, Petrillo
ABSENT: Commissioner Perry

RESOLUTION NO. 8-98

HEARING OF OFFICER WILLIAM T. TAYLOR, STAR NO. 1702, INGLESIDE (FILE NO. C97-274 JWA)

WHEREAS, on November 20, 1997, Fred H. Lau, Chief of Police of the San Francisco Police Department, made and served charges against Officer William T. Taylor, Star No. 1702, Support Services, as follows:

SPECIFICATION NO. 1

Disqualification from holding office as a peace officer by reason of conviction of a felony [California Government code 1029(a)(1)];

WHEREAS, on April 29, 1997 and May 1, 1997, Officer Taylor was convicted by a jury of three felonies;

WHEREAS, on November 10, 1997, Officer Taylor was sentenced to six years in the state prison for violating California Penal Code §289(a) and two years in the state prison on each of two violations of California Penal Code §236. The 2 two-year sentences are to be served concurrently with the six year term. California Government Code §1029(a)(1) makes any person convicted of a felony ineligible to be a peace officer;

WHEREAS, on June 22, 1995, in another matter File No. C45-275, the Police Commission imposed a penalty of termination, held in abeyance for three years, 90 day suspension and an 11.11 Program (same matter as resulted in one conviction for violating Penal Code §326);

WHEREAS, Officer Taylor has another set of charges pending in matter File No. C96-147(300), regarding a sexual assault and false imprisonment of his wife (same conduct as alleged in criminal matter resulting in felony convictions); therefore be it

RESOLVED, that the Police Commission sustains Specification No. 1 of File No. C97-274, and finds that Officer Taylor no longer qualifies to be a peace officer by reason of conviction of three felonies; and

FURTHER RESOLVED, that the Police Commission orders that Officer William T. Taylor be terminated forthwith and matters C45-275 and C96-147(300) are ordered off calendar, subject to restoration if Officer William T. Taylor is somehow returned to duty as a member of the department.

If this decision is subject to review under code of Civil Procedure section 1094.5, then the time within which judicial review must be sought is governed by California Code of Civil Procedures.

AYES: Commissioners Norman, Herrera, Chan, Petrillo
ABSENT: Commissioner Perry

PUBLIC COMMENTS

Linda Bray discussed problem regarding reports.

Thereafter, the meeting was adjourned at 6:25 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

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APR 08 1998

SAN FRANCISCO
PUBLIC LIBRARYJANUARY 21, 1998REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Chan, Petrillo, Perry
ABSENT: Commissioner Herrera

POLICE COMMISSION REPORT**a. Motion of Calendaring of New Items**

Commissioner Petrillo discussed Yellow Cab's request for 25 permits that now sits with the Board of Permit Appeals. Commissioner Petrillo stated that he asked Tom Owens, City Attorney, to look into the authority of the Board of Permit Appeals to create this pro rata system for return of some permits for the distribution to the public and the maintaining of some permits by Yellow Cab. Mr. Owens is researching it and will be able to return information within the next week.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Lau informed the Commission that Kate Hallisy has been released from the hospital and is recuperating at home.

Chief Lau also stated that kick off of Safe Chinese New Year's operation will start tomorrow.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Director Dunlap stated there is no report but stated the OCC is fully staffed and training is proceeding and case load is being handled efficiently.

PUBLIC COMMENTS

Ron McLashen discussed robbery in the Fillmore in the past week.
Jo Heshman requested moment of silence for Mark Garcia.
Van Jones, Police Watch, discussed Mark Garcia matter.
Daniel Garcia Sr., brother of Mark Garcia, suggested ban of pepper spray and that officers be disciplined.

Ron Garcia, brother of Mark Garcia, wants answers.
Daniel Garcia Jr. discussed concerns regarding investigation.
Patricia Tullock supported Garcia family.
Jo Heshman discussed concerns regarding investigation.
Gerard Koskovich discussed concerns regarding investigation.
Greg Fenley discussed concerns.
William discussed concerns regarding investigation.
Jesse Muldune demanded justice.
Mike McLeene discussed concerns regarding the case.
Bruce Kapsack, Attorney for Garcia family, stated he will cooperate with the OCC to conclude the investigation.

Thereafter, the meeting was adjourned at 6:15 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

CALENDAR OF PROCEEDINGS
POLICE COMMISSION MEETING

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

There will be no Police Commission Regular Meeting on *Wednesday, January 28, 1998*. The next Police Commission Regular Meeting will be on *Wednesday, February 4, 1998*, at 5:30 p.m., in the Thomas J. Cahill Hall of Justice, 850 Bryant Street, Room 551, San Francisco

DOCUMENT

JAN 23 1998

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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING
WEDNESDAY, FEBRUARY 4, 1998
5:15 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT MANUEL BARRETTA
Secretary

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FEB 06 1998

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1. Roll Call
2. Vote pursuant to Sunshine Ordinance Section 67.11(a) as to Whether to Conduct a Closed Session
3. Closed Session held pursuant to Brown Act Section 54956.9 and Sunshine Ordinance Section 67.11:

Government Code 54956.9(a)

CONFERENCE WITH LEGAL COUNSEL - Existing Litigation:

- a. Sandler v. City and County of San Francisco, N.D. Cal. No. C94 1334 SI

PUBLIC COMMENT IS WELCOME



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, FEBRUARY 4, 1998
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

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1. Pledge of Allegiance
2. Roll Call
3. Discussion and Vote on Whether to Disclose Action Taken or Discussion held in Closed Session
4. Assignment of Commissioner and Setting of Date for Taking of Evidence on Charges Filed against Officer Lawrence F. McDevitt, Park Station (File No. C97-295 JWA)
5. Assignment of Commissioner and Setting of Date for Taking of Evidence on the Appeal of the Chief's Suspension of Officer Candace Fukunaga, Ingleside Station (File No. DMC D97-222)
6. Approval of Consent Calendar
7. Police Commission Report
 - a. Motion of Calendaring of New Items
8. Chief's Report to the Police Commission
9. OCC Director's Report to the Police Commission
10. Presentation of OCC's Annual Audit under SFPD General Order 8.10



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

**REGULAR MEETING
WEDNESDAY, FEBRUARY 4, 1998
5:30 p.m.**

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

11. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)

CONSENT CALENDAR

1. Recommendation of the City Attorney for Settlement of the following claim:
- a. Sandler v. City and County of San Francisco, N.D. Cal. No. C94 1334 SI

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

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APR 08 1998

SAN FRANCISCO
PUBLIC LIBRARY**FEBRUARY 4, 1998****CLOSED SESSION**

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, from 5:20 p.m. to 5:25 p.m., in Closed Session.

Government Code 54956.9(a)

CONFERENCE WITH LEGAL COUNSEL - Existing Litigation

a. Sandler v. City & County of San Francisco, N.D. Cal. No. C94 1334 SI

PRESENT: Commissioners Herrera, Chan, Perry

ABSENT: Commissioners Norman, Petrillo

FEBRUARY 4, 1998**REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in Regular Meeting.

PRESENT: Commissioner Herrera, Chan, Perry

ABSENT: Commissioners Norman, Petrillo

**DISCUSSION AND VOTE ON WHETHER TO DISCLOSE ACTION
TAKEN OR DISCUSSION HELD IN CLOSED SESSION**

The Commission voted not to disclose action taken or discussion held in Closed Session. 3-0.

RESOLUTION NO. 10-98**ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR
TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED
AGAINST OFFICER LAWRENCE F. McDEVITT, PARK STATION
(FILE NO. C97-295 JWA)**

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in the disciplinary charges filed against Officer Lawrence F. McDevitt, Park Station, was called it having been set for this date; and

WHEREAS, Commissioner Sidney Chan is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer McDevitt; therefore be it

RESOLVED, that Commissioner Chan is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Lawrence F. McDevitt, and is to be set at a later date.

AYES: Commissioners Herrera, Chan, Perry
ABSENT: Commissioners Norman, Petrillo

RESOLUTION NO. 11-98**ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR
TAKING OF EVIDENCE ON THE APPEAL OF THE CHIEF'S
SUSPENSION OF OFFICER CANDACE FUKUNAGA, INGLESIDE
STATION (FILE NO. DMC D97-222)**

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in the appeal of the Chief's suspension of Officer Candace Fukunaga, Ingleside Station, was called it having been set for this date; and

WHEREAS, Commissioner Connie Perry is hereby assigned to conduct taking of evidence in the appeal of the Chief's suspension of Officer Fukunaga; therefore be it

RESOLVED, that Commissioner Perry is hereby assigned to conduct taking of evidence in the appeal of the Chief's suspension of Officer Candace Fukunaga, and is to be set at a later date.

AYES: Commissioners Herrera, Chan, Perry
ABSENT: Commissioners Norman, Petrillo

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 9-98

SANDLER v. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of "Sandler v. CCSF" in N.D. Cal. No. C94-1334 SI, be, and the same is hereby approved.

AYES: Commissioners Herrera, Chan, Perry
ABSENT: Commissioners Norman, Petrillo

POLICE COMMISSION REPORT

a. Motion of Calendaring of New Items

Commissioner Chan stated that monthly meeting with the OCC and the Department will be ongoing and that the next meeting will be on February 23rd. Commissioner Herrera asked that budget update be calendared.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief deferred to Lieutenant Mike Kemmitt.
Lt. Kemmit presented a plaque to Mr. Rod Hughes for donation of a dog to the K-9 Unit.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Director Dunlap stated that the OCC is fully staffed and discussed open house held in January.
Ms. Dunlap further stated that she working on the Annual Report and stated that a draft of budget will be prepared but they are still waiting for the controller for the target figure for general subsidy fund.
Ms. Dunlap commends Officer Suslow for help in understanding computer system.

PRESENTATION OF OCC'S ANNUAL AUDIT UNDER SFPD GENERAL ORDER 8.10

Mr. Robert Janese presented the Audit.

PUBLIC COMMENTS

None.

Thereafter, the meeting was adjourned.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

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SAN FRANCISCO POLICE COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING
WEDNESDAY, FEBRUARY 11, 1998
5:00 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT MANUEL BARRETTA
Secretary

1. Roll Call
2. Public Comment on all matters pertaining to the Closed Session
3. Vote on whether to hold Closed Session and/or assert Attorney/Client Privilege to confer with legal counsel. (San Francisco Administrative Code section 67.11(a).)
4. Closed Session held pursuant to Government Code 54956.9 and San Francisco Administrative Code section 67.11(b).

CONFERENCE WITH LEGAL COUNSEL - Existing Litigations:

- a. Officer Benjamin & Officer Payne v. Police Commission of City and County of San Francisco, Superior Court No. 987-332
- b. Robert Pinckney v. CCSE, USDC No. C96-0919
- c. Rhonda Collins, et al v. CCSE, USDC No. C93-00742 CW
- d. Aaron Williams v. CCSE



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, FEBRUARY 11, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Discussion and Vote on Whether to Disclose Action Taken or Discussion held in Closed Session
4. Approval of Consent Calendar*
5. Police Commission Announcements
 - a. Motion of Calendaring of New Items
6. Chief's Announcements and Review of Recent Department Events
7. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
8. Presentation of the OCC's Statistical Report for October and November, 1997
9. Presentation of the OCC's 1998 Annual Report
10. Presentation of the S.F.P.D. Budget Update
11. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, FEBRUARY 11, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

CONSENT CALENDAR

1. Recommendation of the City Attorney for Settlement of the following claims:
 - a. Robert Pinckney v. CCSF, USDC No. C96-0919
 - b. Rhonda Collins, et al v. CCSF, USDC No. C93-00742 CW
2. Request of the Chief of Police for Approval of Ramped Taxicab Permits for Bernard Detheirs and Jamshid Khajvandi

**There will be Public Comments on any item before or during discussion of each item.*

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APR 08 1998

SAN FRANCISCO
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The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:10 p.m., in Closed Session.

CONFERENCE WITH LEGAL COUNSEL - Existing Litigation

- a. Officer Benjamin & Officer Payne v. Police Commission of City and County of San Francisco, Superior Court No. 987=332
- b. Robert Pinckney v. CCSF, USDC No. C96-0919
- c. Rhonda Collins, et al. v. CCSF, USDC No. C93-00742 CW
- d. Aaron Williams v. CCSF

PRESENT: Commissioners Norman, Herrera, Chan
ABSENT: Commissioners Petrillo, Perry

FEBRUARY 11, 1998REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:50 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Chan
ABSENT: Commissioners Petrillo, Perry

DISCUSSION AND VOTE ON WHETHER TO DISCLOSE ACTION
TAKEN OR DISCUSSION HELD IN CLOSED SESSION

The Commission voted not to disclose action taken or discussion held in Closed Session. 3-0

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 12-98

ROBERT PINCKNEY vs. CITY AND COUNTY OF SAN FRANCISCO,
et al.

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of "Robert Pinckney vs. City and County of San Francisco, et al." in United District Court No. C96-0919, be, and the same is hereby approved.

Date of Incident: November 13, 1994

AYES: Commissioners Norman, Herrera, Chan
ABSENT: Commissioners Petrillo, Perry

RESOLUTION NO. 13-98

RHONDA COLLINS, et al., v. FRANK JORDAN et al.

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of "Rhonda Collins, et al., v. Frank Jordan et al." in United District Court No. C93-00741 CW, be, and the same is hereby approved.

Date of Incident: May 1, 1997

AYES: Commissioners Norman, Herrera, Chan
ABSENT: Commissioners Petrillo, Perry

RESOLUTION NO. 14-98

APPROVAL OF RAMPED TAXICAB PERMITS

WHEREAS, the Police Commission, on September 4, 1996, as per Resolution 151-96, declared that Public Convenience & Necessity requires the issuance of twenty (20) additional ramped taxicab permits; therefore be it

RESOLVED, that the following named individuals, based on their applications and the San Francisco Permit Bureau certifications, are qualified to hold a motor vehicle for hire permit, that said ramped taxicab owner permits shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and are hereby granted to the following individuals:

Bernard Dethairs
Jamshid Khajvandi

AYES: Commissioner Norman, Herrera, Chan
ABSENT: Commissioners Petrillo, Perry

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

The Commission announced that monthly district meeting will be at the Ingleside District to be held at the Police Academy on February 25th.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Sanders, for Chief Lau, discussed Boedecker Park revitalization.
Lt. Dirk Beijen, Burglary Section, discussed arrest of major burglary and fencing operation in which 19 search warrants were served around the Bay Area.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Dunlap discussed interview for special assistant and hiring by mid March.

PRESENTATION OF THE OCC'S STATISTICAL REPORT FOR OCTOBER AND NOVEMBER, 1997

Director Dunlap presented statistical report for October and November, 1997.

PRESENTATION OF THE OCC'S 1997 ANNUAL REPORT

Director Dunlap presented 1997 Annual Report.

PRESENTATION OF THE S.F.P.D. BUDGET UPDATE

Captain Alex Fagan, Fiscal, updated the Commission regarding SFPD budget.

PUBLIC COMMENTS

Unidentified discussed concerns regarding enforcement of living in cars.

Marvin Weaver, President Polk Street Merchants, discussed prostitution in Polk Street area.

Abby Lehrman stated stop enforcement for living in vehicles.

Jeremy Graham stated stop enforcement for living in vehicles.

Daniel Garcia Jr. supports homeless.

Robert Hutchinson, resident Polk-Sutter area, discussed prostitution on Polk Street.

Tony Santiago stated stop enforcement of homeless in autos.

Paul Rivera stated stop enforcement of homeless in autos.

John Deninger stated stop enforcement of homeless in autos.

Ben Reed, resident, stated stop enforcement of homeless in autos.

Christina stated stop enforcement of homeless in autos.

Mary Kate Connors stated stop enforcement of homeless in autos.

Judy Appel, Coalition on Homeless, stated stop enforcement of homeless in autos. She requested support and suggested working with the homeless.

Daniel Garcia stated stop enforcement of homeless in autos.

Mr. Mullins discussed crime in the Mission.

Thereafter, the meeting was adjourned at 7:40 p.m.

Lieutenant Manuel Barretta

Secretary

THE POLICE COMMISSION

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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

3/98
SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, FEBRUARY 18, 1998
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PÉTRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

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1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
 - a. Motion of Calendaring of New Items
4. Chief's Announcements and Review of Recent Department Events
5. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
6. Discussion and Action re: OCC Proposed Budget for FY '98 - '99
7. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)

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FEBRUARY 18, 1998

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Perry
ABSENT: Commissioners Norman, Petrillo

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

The Commission announced meeting next week, February 25th, will be at the Ingleside District at the Police Academy.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Deputy Chief Welch discussed demonstration over Iraq situation.
Deputy Chief Holder discussed possible demonstration regarding Iraq situation.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Dunlap stated that the OCC is ready to monitor demonstrations if they occur.

DISCUSSION AND ACTION RE: OCC PROPOSED BUDGET FOR FY '98-'99

RESOLUTION NO. 15-98

APPROVAL OF PROPOSED OCC BUDGET FY '98 - '99

RESOLVED, that the Police Commission hereby approves proposed OCC budget for fiscal year '98 - '99.

AYES: Commissioners Herrera, Chan, Perry
ABSENT: Commissioners Norman, Petrillo

PUBLIC COMMENTS

None.

Thereafter, meeting was adjourned at 5:50 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

**SAN FRANCISCO POLICE COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY, FEBRUARY 25, 1998
6:00 p.m.**

*INGLESIDE DISTRICT
San Francisco Police Academy
350 Amber Drive
San Francisco*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
 - a. Motion of Calendaring of New Items
4. Chief's Announcements and Review of Recent Department Events
5. OCC Director's Report re: Staffing, Budget and Summary of Recent Events
6. Captain Richard Bruce, Commanding Officer of Ingleside Station, to address the Commission on Police Activities in the Ingleside District
7. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)

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FRED H. LAU
CHIEF OF POLICE

POLICE DEPARTMENT
CITY AND COUNTY OF SAN FRANCISCO
THOMAS J. CAHILL HALL OF JUSTICE
850 BRYANT STREET
SAN FRANCISCO, CALIFORNIA 94103

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THE
SAN FRANCISCO POLICE COMMISSION
AND
INGLESIDE POLICE STATION
CORDIALLY INVITE YOU TO ATTEND
THE MONTHLY MEETING
OF
THE SAN FRANCISCO POLICE COMMISSION

Wednesday, February 25, 1998
San Francisco Police Academy
350 Amber Drive

TIME: 6:00 PM

*Come and meet the SAN FRANCISCO POLICE COMMISSION.
There will be a public comment session during the meeting.
For more information please contact
Captain Rick Bruce
553-1603*

Please invite your neighbors

FEBRUARY 25, 1998

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in Ingleside District, at the Police Academy, 350 Amber Drive, San Francisco, at 6:05 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Chan, Petrillo, Perry

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Commissioner Norman welcomed the audience and asked the Commissioners to introduced themselves.

Commissioner Petrillo discussed his visit to the Honolulu Police Department. He stated that he found the department fascinating and explained that the HPD is the police department for the entire island of Oahu not just the city of Honolulu. He stated that there is a lot of parallels between the SFPD and the HPD. He stated that he had the opportunity to meet with the head of their Internal Affairs and stated that HPD has seven commissioners. The commissioners do not handle discipline matter. All discipline is handled at the Chief's level. He also talked about the Star Bulletin that shows the new members of the newly graduated class of HPD. Commissioner Petrillo stated he was very impressed with HPD. It was very educational.

Commissioner Chan discussed OCC meeting with POA last Monday was put over. Commissioner Chan also discussed riding in motorcade with President Clinton. He stated it was very interesting.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau discussed the president's visit and stated that 300 to 400 demonstrators at the president's location and the department is keeping an eye of them.

OCC DIRECTOR'S REPORT RE: STAFFING, BUDGET AND SUMMARY OF RECENT EVENTS

Director Dunlap described duties and responsibilities of the OCC. She discussed in-service training for new investigators for monitoring demonstrations. She stated the the OCC is in good shape, the budget has been approved and fully staffed and the office is working hard on the backlog.

CAPTAIN RICHARD BRUCE, COMMANDING OFFICER OF INGLESIDE STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE INGLESIDE DISTRICT

Captain Bruce welcomed the Commission and the audience to the meeting. The Captain described activities in the district.

PUBLIC COMMENTS

Brajah Norris, Mayor's Office, commended Captain Bruce and members of the Ingleside Station.

Captain Bruce presented Certificate of Appreciation to "Joe".

Commissioner Petrillo commended Captain Bruce.

Linda Miller commended Captain Bruce and members of the Ingleside Station.

Unidentified commended Captain Bruce.

Thereafter, the meeting was adjourned.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MARCH 4, 1998
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
 - a. Motion of Calendaring of New Items
4. Chief's Announcements and Review of Recent Department Events
5. Request of the Chief of Police for Approval of Recommendation of the Awards Committee
6. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
7. Discussion and Action re: OCC/SFPD Separate Budgets
8. Presentation of OCC Report on Delays in OCC Intake, Investigation, Closure and Administrative Prosecution of Complaints
9. Discussion re: Assembly Bill 1236
10. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

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The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Chan, Petrillo, Perry

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POLICE COMMISSION ANNOUNCEMENTS

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a. Motion of Calendaring of New Items

Commissioner Petrillo asked that the Taxi Industry Reform be calendared for the meeting of next week.

Commissioner Norman asked that a discussion on Sex Industry Workers and the Police Department be calendared in two weeks and stated that Wednesday, April 8th, there will be no meeting.

Chief Lau suggested that a representative from the District Attorney's Office be invited for the meeting regarding Sex Industry Workers.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau discussed two officer involved shootings and the kidnaping incident which resulted in death of the victim.

Captain Dillon, Investigations, briefed Commission regarding Hillsborough kidnaping that resulted in death. Captain Dillon also briefed the Commission regarding officer involved shootings.

Lieutenant Robinson stated that he's been in contact with family members of shooting victim and investigation is on-going.

Commissioner Petrillo asked about time frame of investigation and stated the importance of doing the investigation accurately and completing it in a reasonable amount of time.

RESOLUTION NO. 16-98

AWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT

WHEREAS, the following named members of the Police Department have been commended for courageous service under the provisions of General Order 3.09, Section I.A.1 of the San Francisco Police Department, as approved by the Awards Committee on Tuesday, February 10, 1998; and

WHEREAS, Chief of Police Fred H. Lau has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(a)(4) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Officer Glenn Ortega is hereby awarded the Gold Medal of Valor and granted a reward of \$1,000.00, as provided for under said section of the Charter; and be it further

RESOLVED, that Sergeant Robert J. Del Torre, Officers Steven Blair, Craig Canton, Vickie J. Stansberry, Brenda G. Rodgers, Daryl Deen, Robert Padrones, Jason Jefferson and Peter Walsh are hereby awarded Silver Medals of Valor and granted rewards of \$300.00 each, as provided for under said Section of the Charter; and be it further

RESOLVED, that Sergeants Kimberly A. Reynolds, James Seim, George Carrington, Robert Del Torre and Officers Pamela Mitchell, John Bragagnolo, Jerome Grady, Charles Simpson, Rey P. Ibay, Stephen Gough, Moses R. Gala, Iraj Mahvi, Pilar Torres, Brian Danker, Bartholomew Johnson, Montgomery Singleton, Michael J. Cavanaugh, Robert A.

Kaprosh, Ian Furminger, Michael A. Androvich, Brett Thorp and Michael Rebolini are hereby awarded Bronze Medals of Valor and granted rewards of \$150.00 each, as provided for under said Section of the Charter; and be it further

RESOLVED, that Lieutenant Lawrence Ryan, Sergeants Joseph Currie, John Payne*, John Nestor, Stephen Gudelj, Inspectors Robert McMillan, Edward Wynkoop, Donald W. O'Conner, Timothy Dempsey, David Faingold, Napoleon Hendrix, John Hennessey, John Cleary*, Lewis Bronfeld*, Morris Tabak, Mark E. Mahoney, Glen Pamfiloff, Kenneth King, Joseph Peralde, Officers Jennifer Marino, Benjamin Stefancic, Victoria Dockery*, Brian Woo, Sherman Lee, Anthony Damato, Robert Ziegler, Pat Burke, Michael Fewer, Daniel Perea, Edward Wu, Michael Browne, John Bragagnolo, Michael Philpott, Edward Santos, James Miller, Star #736, Ross Laflin, *Charles G. Simpson*, Leonard Broberg, Charles Easton, Maurice Edwards, and Michael Bolte are hereby awarded Meritorious Conduct Awards and granted a reward of \$150.00 each, as provided for under said Section of the Charter.

*(*Members receive two (2) Awards and Rewards)*

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF EVENTS

Director Dunlap discussed interview for staff assistant and discussed the Early Warning System.

DISCUSSION AND ACTION RE: OCC/SFPD SEPARATE BUDGETS

Ken Espranza, Mayor's Budget Office, stated that the Mayor is not ready to separate budgets at this time.

Commissioner Perry recommended to table matter.

Tabled. Approved 5-0.

PRESENTATION OF OCC REPORT ON DELAYS IN OCC INTAKE, INVESTIGATION, CLOSURE AND ADMINISTRATIVE PROSECUTION OF COMPLAINTS

Director Dunlap presented report.

DISCUSSION RE: ASSEMBLY BILL 1236

Mary Dunlap, OCC, briefed the Commission regarding AB 1236.

Sean Connolly, POA Attorney, stated the POA is against the legislation and stated that more time is needed for review.

Commissioner Herrera discussed position of the Commission regarding deciding cases.

Matter put over for March 11th with a report from the City Attorney regarding status of AB 1236.

PUBLIC COMMENTS

None.

Thereafter, the meeting was adjourned.



Lieutenant Manuel Barretta
Secretary

THE POLICE COMMISSION



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MARCH 11, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

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MAR 11 1998

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1. Pledge of Allegiance
2. Roll Call
3. Approval of Minutes of Meetings of January 7, 14, 21, 1998, and February 4, 11, 18 and 25, 1998
4. Approval of Consent Calendar *
5. Police Commission Announcements
 - a. Motion of Calendaring of New Items
6. Chief's Announcements and Review of Recent Department Events
7. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
8. Discussion and Action re: Proposed Tenderloin Task Force Facility - 301 Eddy Street
9. Discussion re: Taxi Industry Reform
10. Discussion and Action re: Proposed SFPD Budget for FY '98-'99
11. Status Report from the City Attorney re: Assembly Bill 1236
12. Report on Recent Training and Friendship Mission to Asia



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MARCH 11, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

13. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)
14. Hearing and Disposition on Disciplinary Charges filed against Officer Robert Walker, Southern Station (File No. C56-241 DC)

CONSENT CALENDAR

1. Request of the Chief of Police for Approval to Accept Gift of a Harley Davidson Leather Jacket from the Dudley-Perkins Harley Davidson Company

**There will be Public Comments on any item before or during discussion of each item.*

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MARCH 11, 1998

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in a Regular Meeting.

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PRESENT: Commissioners Herrera, Chan, Petrillo, Perry
ABSENT: Commissioner Norman

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APPROVAL OF MINUTES OF MEETINGS OF JANUARY 7, 14, 21, 1998 AND FEBRUARY 4, 11, 18 AND 25, 1998

Approval of minutes of meetings of October 2nd and 16th, 1996, the Commissioners having received, approved and returned copies of same. Minutes approved 4-0.

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 18-98

APPROVAL OF REQUEST OF THE CHIEF OF POLICE TO ACCEPT GIFT OF A HARLEY DAVIDSON LEATHER JACKET FROM THE DUDLEY-PERKINS HARLEY DAVIDSON COMPANY

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to accept a gift of a Harley Davidson leather jacket from the Dudley-Perkins Harley Davidson Company.

AYES: Commissioners Herrera, Chan, Petrillo, Perry
ABSENT: Commissioner Norman

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Commissioner Herrera announced that items #9, Taxi Industry Reform, #10, SFPD Budget '98-'99, #11, Assembly Bill 1236, and #12, Mission to Asia, are put over one week.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

None.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

None.

RESOLUTION NO. 17-98

APPROVAL TO AUTHORIZE THE CHIEF OF POLICE TO ENTER INTO A LEASE-PURCHASE AGREEMENT FOR THE PROPERTY AT 301 EDDY STREET FOR THE PURPOSE OF HOUSING THE TENDERLOIN TASK FORCE UNIT

WHEREAS, the Police Department needs a proper facility to house the Tenderloin Task Force Unit; and

WHEREAS, the Police Department has the opportunity to enter into a lease-purchase agreement for the property at 301 Eddy Street; and

WHEREAS, the property at 301 Eddy Street will enable the Department to significantly improve the quality of services it provides in the Tenderloin; now therefore be it

RESOLVED, that the Police Commission authorizes the Chief of Police to enter into a lease-purchase agreement for the property at 301 Eddy Street for the purpose of housing the Tenderloin Task Force Unit.

AYES: Commissioners Herrera, Chan, Petrillo, Perry
ABSENT: Commissioner Norman

PUBLIC COMMENTS

Ron McLashan discussed concerns regarding Vice condition and prostitution in the Tenderloin.

**HEARING AND DISPOSITION ON DISCIPLINARY CHARGES
FILED AGAINST OFFICER ROBERT WALKER, SOUTHERN
STATION (FILE NO. C56-241 DC)**

Put over.

Thereafter, the meeting was adjourned at 5:45 p.m.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION



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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MARCH 18, 1998
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
 - a. Motion of Calendaring of New Items
4. Chief's Announcements and Review of Recent Department Events
5. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
6. Discussion and Action re: Revised General Order 3.13, "Field Training Program," and Revised General Order 9.03, "Mandatory Blood Tests for Drivers under the Influence"
7. Discussion and Action re: Proposed SFPD Budget for FY '98-'99
8. Status Report from the City Attorney re: Assembly Bill 1236
9. Report on Recent Training and Friendship Mission to Asia
10. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)

**There will be Public Comments on any item before or during discussion of each item.*

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MARCH 18, 1998

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, at 5:30 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Chan, Petrillo, Perry

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POLICE COMMISSION ANNOUNCEMENTS

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a. Motion of Calendaring of New Items

Commissioner Norman asked for a moment of silence for former Inspector Rotea Gilford and asked that the meeting be adjourned in memory of him.

Meeting next week will be at the Richmond Station.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau discussed narcotic arrest and homicide arrest
Lieutenant Crenshaw briefed the Commission regarding narcotic arrests.

Lieutenant Robinson briefed the Commission regarding Hillsborough homicide and arrest of suspect.

Lieutenant Davenport briefed the Commission regarding hate crime homicide.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Mary Dunlap, Director, discussed vacancy of Special Assistant position and asked the Commission for help in speeding up paperwork process.

DISCUSSION AND ACTION RE: REVISED GENERAL ORDER 3.13, "FIELD TRAINING PROGRAM"

Lieutenant Springer presented General Order 3.13, "Field Training Program."

Motion by Commission Chan, second by Commissioner Petrillo to table the matter.

RESOLUTION NO. 19-98

APPROVAL OF REVISED GENERAL ORDER 9.03, "MANDATORY BLOOD TESTS FOR DRIVERS UNDER THE INFLUENCE"

RESOLVED, that the Police Commission hereby approves revised General Order 9.03, "Mandatory Blood Tests for Drivers under the Influence."

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

RESOLUTION NO. 20-98

APPROVAL OF PROPOSED SFPD BUDGET FOR FY '98-'99

RESOLVED, that the Police Commission hereby approves proposed SFPD Budget for fiscal year '98-'99.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

**STATUS REPORT FROM THE CITY ATTORNEY RE: ASSEMBLY
BILL 1236**

Margaret Baumgartner, City Attorney, stated the matter in committee.
Commissioner Norman stated she personally opposed the bill.

**REPORT ON RECENT TRAINING AND FRIENDSHIP MISSION TO
ASIA**

Put over at a later date.

PUBLIC COMMENTS

Lieutenant James Speros introduced Chief of Middleberg So. Africa
Police Department.

Ron McLashen discussed conference with district attorney regarding
prostitution.

Thereafter, the meeting was adjourned at 7:25 p.m. in memory of
Inspector Rotea Gilford.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

**SAN FRANCISCO POLICE COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY, MARCH 25, 1998
6:00 p.m.**

*RICHMOND DISTRICT
Richmond Police Station Community Room
461 Sixth Avenue
San Francisco*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

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1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
 - a. Motion of Calendaring of New Items
4. Assignment of Commissioner and Setting of Date on Disciplinary Charges filed against Officer James A. Adams, Special Operations Division (File No. C98-060 JWA)
5. Chief's Announcements and Review of Recent Department Events
6. OCC Director's Report re: Staffing, Budget and Summary of Recent Events
7. Captain Richard Hom, Commanding Officer of Richmond Station, to address the Commission on Police Activities in the Richmond District
8. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)

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THE
SAN FRANCISCO POLICE COMMISSION
AND
RICHMOND POLICE STATION

CORDIALLY INVITE YOU TO ATTEND
THE MONTHLY MEETING OF

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MAR 24 1998

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THE SAN FRANCISCO POLICE COMMISSION

WEDNESDAY, MARCH 25, 1998
TIME: 6:00 PM

RICHMOND POLICE STATION
COMMUNITY ROOM IN BACK OF THE STATION
461 6TH AVENUE

*COME AND MEET THE SAN FRANCISCO POLICE COMMISSION.
THERE WILL BE A PUBLIC COMMENT SESSION DURING THE
MEETING.*

PLEASE INVITE YOUR NEIGHBORS

APR 21 1998

SAN FRANCISCO
PUBLIC LIBRARYMARCH 25, 1998REGULAR MEETING

5/98
The Police Commission of the City and County of San Francisco met in the Richmond District, Richmond Police Station Community Room, 461 Sixth Avenue, San Francisco, at 6:00 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Chan, Petrillo, Perry

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Commissioner Norman welcomed the audience and command staff, and the Commissioners introduced themselves.

RESOLUTION NO. 21-98

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED AGAINST OFFICER JAMES A. ADAMS, SPECIAL OPERATIONS DIVISION (FILE NO. C98-060 JWA)

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in the disciplinary charges filed against Officer James A. Adams, Special Operations Division, was called it having been set for this date; and

WHEREAS, Commissioner Dennis Herrera is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Adams; therefore be it

RESOLVED, that Commissioner Herrera is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer James A. Adams, and is to be set at a later date.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau discussed public safety committee has passed the first stage of the James Guelff Body Armor Legislation which will prevent convicted felons from obtaining and possessing body armor. Chief Lau also discussed hate crimes and commended members of the command staff and the department.

OCC DIRECTOR'S REPORT RE: STAFFING, BUDGET AND SUMMARY OF RECENT EVENTS

Diane Chin, OCC, for Director Dunlap, discussed the duties and responsibilities of the OCC.

CAPTAIN RICHARD HOM, COMMANDING OFFICER OF RICHMOND STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE RICHMOND DISTRICT

Captain Hom described the Richmond District, staffing and programs that are underway and presented a Certificate of Appreciation to Jean Lynch.

PUBLIC COMMENTS

Unidentified thanked Captain Hom.

Judith Nelson asked for e-mail capability for the Richmond Station.

David Heller, Geary Boulevard Merchants Assoc., thanked Captain Hom and the Department.

Gene Mayo, Lower Pacific Heights Assoc., thanked Captain Hom and the officers of Richmond Station.

Jean Lynch discussed concerns regarding the need for more community involvement regarding senior issues and disabled issues.

Captain Dillon briefed the Commission on trip to Ireland by members of the department.

Edith McMillan commended Captain Hom and members of the Richmond Station.

Pat Kaussen, Richmond District Neighborhood Center, commended Captain Hom.

Stephen Cornell, small-business owner, discussed concerns of prostitution on upper Polk Street.

Unidentified thanked Captain Hom and discussed juvenile gangs.

Thereafter, the meeting was adjourned at 7:30 p.m.



Lieutenant Manuel Barretta

Secretary

THE POLICE COMMISSION



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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, APRIL 1, 1998
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

PAT NORMAN
President
DENNIS J. HERRERA
Vice President
SIDNEY CHAN
Commissioner
EDWARD J. PETRILLO
Commissioner
CONNIE PERRY
Commissioner
LT. MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
 - a. Motion of Calendaring of New Items
4. Assignment of Commissioner and Setting of Date on Charges filed against Inspector Michael P. Wilcox, Burglary (File No. JWA C98-083)
5. Assignment of Commissioner and Setting of Date on Charges filed against Officer James E. Ludlow, Mission Station (File No. JWA C98-044)
6. Chief's Announcements and Review of Recent Department Events
7. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
8. Discussion and Action re: Revision of the Rules and Procedures for Patrol Specials and their Assistants
9. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)

**There will be Public Comments on any item before or during discussion of each item.*

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98
APRIL 1, 1998

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:35 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Chan, Petrillo, Perry

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POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Commissioner Norman asked that the matter regarding Sex Clubs be calendared for the meeting of April 15th.

Commissioner Herrera commended the department for reduction in muni crime.

RESOLUTION NO. 22-98

**ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR
TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED
AGAINST INSPECTOR MICHAEL P. WILCOX, BURGLARY
(FILE NO. C98-083 JWA)**

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in the disciplinary charges filed against Inspector Michael P. Wilcox, Burglary, was called it having been set for this date; and

WHEREAS, Commissioner Edward Petrillo is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Inspector Wilcox; therefore be it

RESOLVED, that Commissioner Petrillo is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Inspector Michael P. Wilcox, and is to be set at a later date.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

RESOLUTION NO. 23-98

**ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR
TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED
AGAINST OFFICER JAMES E. LUDLOW, MISSION STATION,
(FILE NO. C98-044 JWA)**

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in the disciplinary charges filed against Officer James E. Ludlow, Mission Station, was called it having been set for this date; and

WHEREAS, Commissioner Edward Petrillo is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Ludlow; therefore be it

RESOLVED, that Commissioner Petrillo is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer James E. Ludlow, and is to be set at a later date.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

**CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT
DEPARTMENT EVENTS**

Chief Lau discussed Management Seminar regarding Community Policing. The Chief stated that on August 13, 1999 will be the 150th Anniversary of the San Francisco Police Department and stated that he'd like to form a committee to organize a big celebration for the 150th Anniversary. Commissioner Perry volunteered to be on the committee to represent the Police Commission.

Chief Lau also briefed the Commission regarding FRET operation where 89 arrests were made; 44 were parolees at large and 30 went to San Quentin.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Mary Dunlap, Director OCC, announced that Diane Chin will be new Special Assistant.

DISCUSSION AND ACTION RE: REVISION OF THE RULES AND PROCEDURES FOR PATROL SPECIALS AND THEIR ASSISTANTS

Commissioner Norman expressed displeasure at last minute request to put matter on calendar with significant changes.

Commissioner Chan asked to review draft of changes before calendaring.

Commissioners Petrillo, Herrera and Perry expressed their displeasure with last minute calendaring of matter.

PUBLIC COMMENTS: re: Patrol Specials


David Heller discussed concerns.

Ephraim Margolin, Attorney for Patrol Specials, discussed concerns.

PUBLIC COMMENTS

Ron McLashan discussed prostitution in Polk Street area and requested that Certificates of Appreciation be presented to members of Northern and Vice.

Thereafter, the meeting was adjourned.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

CALENDAR OF PROCEEDINGS
POLICE COMMISSION MEETING

FAT NORMAN
President

DENNIS J HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT MANUEL BARRETTA
Secretary

There will be no Police Commission Regular Meeting on *Wednesday, April 8, 1998*. The next Police Commission Regular Meeting will be on *Wednesday, April 15, 1998*, at 5:30 p.m., in the Thomas J. Cahill Hall of Justice, 850 Bryant Street, Room 551, San Francisco

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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, APRIL 15, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Approval of Minutes of Meetings of March 4, 11, 18, and 25, 1998 and Meeting of April 1, 1998
4. Approval of Consent Calendar
5. Police Commission Announcements
 - a. Motion of Calendaring of New Items
6. Assignment of Commissioner and Setting of Date on Charges filed against Inspector William C. Vince, Juvenile (File No. C98-079 JWA)
7. Chief's Announcements and Review of Recent Department Events
8. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
9. Discussion re: Enforcement and Prosecution of Prostitution and Related Crimes including Presentations by Sex Workers, the Police Department and the District Attorney's Office
10. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

**REGULAR MEETING
WEDNESDAY, APRIL 15, 1998
5:30 p.m.**

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

CONSENT CALENDAR

1. Request of Inspector Lamont M. Suslow, MIS, for Approval to Accept a Prize of a Mitsubishi S600C Personal Color Scanner, valued at approximately \$230.00

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT MANUEL BARRETTA
Secretary

**There will be Public Comments on any item before or during discussion of each item.*

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

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JUN 15 1999

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APRIL 15, 1998

REGULAR MEETING

The Police Commission of the City and County of San Francisco met at the 6th Floor Auditorium, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:40 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Chan, Petrillo, Perry

APPROVAL OF MINUTES OF MEETINGS OF MARCH 4, 11, 18, AND 25, 1998 AND MEETING OF APRIL 1, 1998

Approval of minutes of meetings of March 4, 11, 18 and 25, 1998 and meeting of April 1, 1998, the Commissioners having received, approved, and returned copies of same. Minutes approved 5-0.

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 25-98

APPROVAL OF REQUEST OF INSPECTOR LAMONT M. SUSLOW, MIS, TO ACCEPT A PRIZE OF A MITSUBISHI S600C PERSONAL COLOR SCANNER, VALUED AT APPROXIMATELY \$230.00

RESOLVED, that the Police Commission hereby approves request of Inspector Lamont M. Suslow, MIS, to accept a Mitsubishi S600C Personal Color Scanner, valued at approximately \$230.00

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

District Meeting in the Taraval on April 29th.

RESOLUTION NO. 24-98

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED AGAINST INSPECTOR WILLIAM C. VINCE, JUVENILE (FILE NO. C98-079 JWA)

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in the disciplinary charges filed against Inspector William C. Vince, Juvenile, was called it having been set for this date; and

WHEREAS, Commissioner Edward Petrillo is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Inspector Vince; therefore be it

RESOLVED, that Commissioner Petrillo is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Inspector William C. Vince and is to be set at a later date.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Assistant Chief Sanders for Chief Lau.

Deputy Chief Holder described Easter Egg Hunt on Easter Sunday by Operation Dream. He stated 1,000 kids attended the celebrations at Treasure Island.

Chief Sanders discussed and presented award proclamation from Mayor Brown to Sergeant Ron Kern and members of Vice.

Chief Sanders presented Captain Cullop and members of Northern award from Mayor Brown .

Citizens Awards presented to Captain Fong, Central; Captain Cullop, Northern; Captain Goldberg, Tenderloin Task Force; Sergeant Kern, Vice.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Dunlap stated OCC is doing well in ease closure and that the unit is at full staffing.

DISCUSSION RE: ENFORCEMENT AND PROSECUTION OF PROSTITUTION AND RELATED CRIMES INCLUDING PRESENTATIONS BY SEX WORKERS, THE POLICE DEPARTMENT, AND THE DISTRICT ATTORNEY'S OFFICE

Chief Sanders stated the department will enforce prostitution arrests and prosecution.

Lieutenant Kern described efforts of Vice Unit regarding arrests.

Captain Cullop discussed efforts in the Northern District.

Captain Goldberg discussed enforcement at Tenderloin Task Force.

Lieutenant Davenport discussed theater workers.

Lieutenant Lorin, Permits, discussed enforcement of permit regulations.

Richard Iglehart, D.A.'s office, discussed what's being done by the District Attorney's office.

Margo St. James discussed licensing.

Richard West presented petition regarding legalizing prostitution.

PUBLIC COMMENTS

Resident Capp Street discussed prostitution in the area.

Tom Steele, Attorney for massage parlor, discussed concerns.

Glenda Powell, resident Mission District, commended efforts of the department and asked for more enforcement in the Mission.

Robert Gareia supports enforcement.

Marvin Warren, President Council of District Merchants, supports enforcement.

Phillip Fathier supports enforcements.

Jean Powell, Nob Hill Neighbors, supports enforcement.

Terry support enforcement.

Ran McLachan supports enforcement.

Lorrie McCormack, former prostitute, stated help women get off street.

Betty Beeks, SAGE, discussed concerns.

Susan discussed decriminalizing prostitution.

Carol Lee discussed concerns.

Bob Wynn, Geary Citizens Patrol, supports enforcement.

Nellie Lau, Law Clerk of Tom Steele for massage parlor, stop enforcement.

Dan Heins, GM DeSoto Cab Co., supports enforcement.

Gill Sterling, attorney, enforcement against muni crimes not prostitution.

Ethel Newman supports enforcement.

Unidentified supports enforcement.

Al Rome, resident, supports enforcement against massage parlors and asked that no more permits be issued.

Nedra Ruiz against enforcement and decriminalizing prostitution.

Norma, SAGE, supports enforcement.

Lorrie Narin decriminalize prostitution.

Annette Hubbard, Geary resident, supports enforcement against prostitution and child prostitution.

Glover Telfer supports enforcement.

Rachel discussed concerns.

Christine Bebe, Tenderloin, discussed concerns.

Jennifer Rakawski, CUAV, against enforcement.

Jackie Robarge discussed actions of police.
George Williams, SAN, discussed concerns.
Gwendolyn Wright thanked Captain Fong and members of the department
and supports enforcement.
Jennifer Coal, Mission resident, decriminalize prostitution.
Steve York, attorney, decriminalize prostitution.
Michael Gillespie, business owner at Gary Street, enforce drug laws.
Bill Ng, North Market Planning Coalition, supports enforcement against
more massage parlors.
Jim Thompson enforce drug laws.
Unidentified discussed actions of police.
Marianne Zarac, Portola District resident, supports enforcement.
Jeffrey Chang discussed actions of police and harassment.
Patricia Walker supports enforcement.
Frank Hiltom discussed police harassment.
Dawn supports massage parlors.
Unidentified supports enforcement.

Thereafter, the meeting was adjourned at 9:35 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING
WEDNESDAY, APRIL 22, 1998
5:15 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

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1. Roll Call
2. Public Comment on all matters pertaining to the Closed Session
3. Vote on whether to hold Closed Session and/or assert Attorney/Client Privilege to confer with legal counsel. (San Francisco Administrative Code section 67.11(a).)
4. Closed Session held pursuant to Government Code 54956.9 and San Francisco Administrative Code section 67.11(b).

CONFERENCE WITH LEGAL COUNSEL - Existing Litigations:

- a. Schiefer vs. City and County of San Francisco, et al., Superior Court
Case No. 986-705
- b. Cazahous v. City and County of San Francisco, et al., SF Superior Court
Case No. 985824



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, APRIL 22, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

- 2/98
1. Pledge of Allegiance
 2. Roll Call
 3. Approval of Consent Calendar
 4. Police Commission Announcements
 - a. Motion of Calendaring of New Items
 5. Assignment of Commissioner and Setting of Date on Charges filed against Officer Roy Michael Ramos, Tenderloin Task Force, (File No. C98-027 JWA)
 6. Chief's Announcements and Review of Recent Department Events
 7. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
 8. Request of the Chief of Police for Approval Authorizing Execution of a Hold Harmless Agreement among the San Francisco Police Department, the Santa Clara County Department of Corrections, and TFP Inc., for Access to Western Digital Imaging Network
 9. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)
 10. Hearing and Disposition on Disciplinary Charges filed against Officer Robert Walker, Southern Station, (File No. C56-241 DC)



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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, APRIL 22, 1998
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

CONSENT CALENDAR

1. Recommendation of the City Attorney for Settlement of the following claim:
 - a. Schiefer vs. City and County of San Francisco, et al., Superior Court
Case No. 986-705
 - b. Cazahous v. City and County of San Francisco, et al., SF Superior Court
Case No. 985824

PAT NORMAN
President

DENNIS J. HERRERA
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SIDNEY CHAN
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Secretary

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THOMAS J. CAHILL HALL OF JUSTICE, 850 BRYANT ST., RM. 505, SAN FRANCISCO, CA 94103-4603 (415) 553-1667 FAX (415) 553-1669



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The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:15 p.m., in Closed Session.

CONFERENCE WITH LEGAL COUNSEL - Existing Litigations:

- a. Schiefer vs. City and County of San Francisco, et al., Superior Court Case No. 986-705
- b. Cazahous v. City and County of San Francisco, et al., SF Superior Court Case No. 985824

PRESENT: Commissioners Herrera, Petrillo, Perry

ABSENT: Commissioners Norman, Chan

APRIL 22, 1998REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in a Regular Meeting.

PRESENT: Commissioner Herrera, Chan, Petrillo, Perry

ABSENT: Commissioner Norman

DISCUSSION AND VOTE ON WHETHER TO DISCLOSE ACTION
TAKEN OR DISCUSSION HELD IN CLOSED SESSION

The Commission voted not to disclose action taken or discussion held in Closed Session.

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 29-98

CAZAHOUS v. CITY AND COUNTY OF SAN FRANCISCO, et al.

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of "Cazahous vs. City and County of San Francisco, et al." in Superior Court No. 974-800, be, and the same is hereby approved.

Date of Incident: November 1992 - December 1994

AYES: Commissioners Herrera, Chan, Petrillo, Perry

ABSENT: Commissioners Norman

RESOLUTION NO. 30-98

SCHIEFER v. CITY AND COUNTY OF SAN FRANCISCO, et al.

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of "Schiefer v. City and County of San Francisco, et al." in Superior Court No. 986-705, be, and the same is hereby approved.

Date of Incident: January 19, 1997 through February 1997

AYES: Commissioners Herrera, Chan, Petrillo, Perry

ABSENT: Commissioner Norman

POLICE COMMISSION ANNOUNCEMENTS

- a. Motion of Calendaring of New Items

Commissioner Petrillo asked that the discussion and possible action regarding decision of the Board of Permit Appeals concerning taxicab stock transfers be calendared for May 6th.

Lieutenant Barretta stated that next week's meeting will be at Taraval District at the Taraval Station Community Room, 6 p.m.

Commissioner Perry asked that the licensing of the encounter club and other issues related to that be calendared for public discussion sometime in June.

Commissioner Herrera welcomed City Attorney Lori Giorgi.

RESOLUTION NO. 26-98

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED AGAINST OFFICER ROY MICHAEL RAMOS, SUPPORT SERVICES (FILE NO. C98-027.JVA)

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in the disciplinary charges filed against Officer Roy Michael Ramos, Support Services, was called it having been set for this date; and

WHEREAS, Commissioner Connie Perry is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Ramos; therefore be it

RESOLVED, that Commissioner Perry is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Roy Michael Ramos to be set at a later date.

AYES: Commissioners Herrera, Chan, Petrillo, Perry
ABSENT: Commissioner Norman

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau deferred to Captain Dillon.

Captain Dillon briefed the Commission regarding assault on prostitution in the Capp Street area.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Dunlap stated that full staffing is proceeding.

RESOLUTION NO. 27-98

AUTHORIZATION FOR EXECUTION OF A HOLD HARMLESS AGREEMENT AMONG THE SAN FRANCISCO POLICE DEPARTMENT, THE SANTA CLARA COUNTY DEPARTMENT OF CORRECTIONS, AND TFP INC., FOR ACCESS TO WESTERN DIGITAL IMAGING NETWORK

WHEREAS, the San Francisco Police Department wishes to join a network of law enforcement agencies sharing digital mugshot images; and

WHEREAS, participation in the network requires execution of a hold harmless agreement with the Santa Clara County Department of Corrections and TFP, Inc.; now therefore be it

RESOLVED, that the Police Commission urges the Board of Supervisors of the City and County of San Francisco to adopt a resolution authorizing the Chief of Police to execute a hold harmless agreement with the Santa Clara County Department of Corrections and TFP, Inc.

AYES: Commissioners Herrera, Chan, Petrillo, Perry
ABSENT: Commissioner Norman

PUBLIC COMMENTS

Ron McLatehen commended the department for efforts regarding prostitution.

HEARING OF POLICE OFFICER ROBERT WALKER, NARCOTICS
(FILE NO. C56-241 DC)

The hearing of Police Officer Robert Walker, Star No. 1121, Narcotics Division, was called it having been set for this date. Officer Walker was charged with violating the Rules and Procedures, as follows:

CHARGE NO. 1

Conduct Reflecting Discredit (using position as law enforcement officer to threaten a civilian in violation of Department General Order 2.01, Rule 9)

CHARGE NO. 2

Neglect of Duty (providing untruthful and/or evasive answers in violation of Department General Order 2.01, Rule 21)

in a properly verified complaint by Fred H. Lau, Chief of Police of the San Francisco Police Department.

Officer Robert Walker appeared in person and was represented by Sergeant Steve Johnson, POA.

Mr. James Rodriguez, Attorney at Law, appeared on behalf of the Office of Citizen Complaints and the San Francisco Police Department.

The Department moved to withdraw Charge 2. The Commission granted the department's motion to withdraw Charge No. 2.

Sergeant Johnson entered a plea of guilty on Charge No. 1 on behalf of Officer Walker. Officer Walker personally affirmed entry of guilty plea in these matters and accepts responsibility for his acts.

Based on Officer Walker's plea, the Commission requested a recommendation from Chief of Police Fred H. Lau. It is the recommendation of the Chief of Police that Officer Walker be suspended for thirty (30) days, twelve (12) days to be served and eighteen (18) days to be held in abeyance for one (1) year on condition of Officer Walker's good behavior and that he not receive any sustained complaints of misconduct during this year.

The Commission took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 28-98DECISION - HEARING OF OFFICER ROBERT WALKER, NARCOTICS
DIVISION

WHEREAS, on January 27, 1997, Fred H. Lau, Chief of Police of the San Francisco Police Department, made and served charges against Police Officer Robert Walker, as follows:

CHARGE NO. 1

Conduct Reflecting Discredit (using position as law enforcement officer to threaten a civilian in violation of Department General Order 2.01, Rule 9)

(1) At all times herein mentioned, Robert Walker, Star number 1121,

(hereinafter referred to as the "Accused Officer") was and is a police officer employed by the San Francisco Police Department assigned to the Mission Station;

- (2) As a police officer, the Accused Officer is and was responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;
- (3) On or around December 12, 1995, the Accused Officer was off-duty, socializing at a friend's apartment and drinking alcohol. The Accused Officer told people in the apartment that he was going to seek revenge on a female resident of the apartment building for an incident that had occurred earlier, during which the female put ice down the Accused Officer's back.
- (4) The Accused Officer left the friend's apartment and knocked on the civilian's apartment door, simultaneously identifying himself as "Police." The Accused Officer showed the civilian his gun and badge and directed her to come out of her apartment. The Accused stated words to the effect of "[d]on't make me have to arrest you" to the civilian, without justification or cause.
- (5) By threatening police enforcement action under circumstances which did not warrant police action, the Accused engaged in conduct which constitutes a violation of Rule 9 of General Order 2.01 of the San Francisco Police Department, which states:

"MISCONDUCT. Any breach of peace, neglect of duty, misconduct or any conduct by an officer either within or without the State that tends to subvert the order, efficiency or discipline of the Department, or reflects discredit upon the Department or any member, or is prejudicial to the efficiency and discipline of the Department, although not specifically defined or set forth in Department policies and procedures, shall be considered unofficer-like conduct subject to disciplinary action."

CHARGE NO. 2

~~Neglect of Duty (providing untruthful and/or evasive answers in violation of Department General Order 2.01, Rule 21)~~

- (6) ~~Paragraphs (1) through (5) of Charge No. 1 are incorporated in this paragraph by reference and recited as though set forth in full;~~
- (7) ~~On January 31, 1996, the Accused Officer was interviewed by an OCC investigator regarding this matter. During his interview, the Accused Officer stated that he did not identify himself as the "police" when he knocked on the civilian's door or ask her to step outside. The Accused Officer claimed that the civilian had asked if he had graduated from the Police Academy and that he displayed his police badge as part of his response. The Accused Officer stated that he did not have his gun with him at the time.~~
- (8) ~~The Accused Officer's misrepresentations violated Rule 21 of General Order 2.01 of the San Francisco Police Department, which states in part:~~

~~"Cooperation with Investigations, members shall, when questioned on matters relating to their employment with the Department by a superior officer or by one designated by a superior officer, or by a member of the Office of Citizen Complaints, answer all questions truthfully and without evasion."~~

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, April 22, 1998, when the matter was submitted to the Police Commission for decision; and

WHEREAS, based on Officer Robert Walker's plea of guilty, the Commission finds that the allegations contained in Charge No. 1, as preferred by Chief of Police Fred H. Lau against Officer Walker, are sustained; and the Commission adopts the sustained charge as its findings in this matter; therefore be it

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and discipline in the San Francisco Police Department, the Police Commission orders the following discipline be imposed:

CHARGE NO. 1

Sustain

CHARGE NO. 2

Withdrawn

That Officer Walker be suspended for thirty (30) days, twelve (12) days to be served and eighteen (18) days to be held in abeyance for one (1) year on condition of Officer Walker's good behavior and that he not receive any sustained complaints of misconduct during this year.

FURTHER RESOLVED, that said twelve (12) days suspension shall commence at 0001 hours on Saturday, May 2, 1998, and end at 2400 hours on Wednesday, May 13, 1998.

If this decision is subject to review under Code of Civil Procedure section 1094.5, then the time and within which judicial review must be sought is governed by California Code of Civil Procedure, section 1094.6.

AYES: Commissioners Herrera, Chan, Petrillo, Perry
ABSENT: Commissioner Norman

Thereafter, the meeting was adjourned.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY, APRIL 29, 1998
6:00 p.m.

TARAVAL DISTRICT
Taraval Police Station Community Room
2345 24th Avenue
San Francisco

PAT NORMAN
President

DENNIS J HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT MANUEL BARRETTA
Secretary

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1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
 - a. Motion of Calendaring of New Items
 - b. Notification of Resignation of Officer Joann M. Dippold, Ingleside, (File No. C97-139 JWA)
4. Chief's Announcements and Review of Recent Department Events
5. OCC Director's Report re: Staffing, Budget and Summary of Recent Events
6. Captain Michael Yalon, Commanding Officer of Taraval Station, to address the Commission on Police Activities in the Taraval District
7. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)

** There will be Public Comments on any item before or during discussion of each item.*

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9/98

*THE
OFFICERS OF TARAVAL STATION*

*INVITE YOU TO ATTEND THE APRIL
MEETING OF*

*THE
SAN FRANCISCO POLICE COMMISSION*

WEDNESDAY, APRIL 29, 1998

6:00 PM

AT

THE TARAVAL STATION COMMUNITY ROOM

2345-24TH AVENUE AT TARAVAL

THE COMMISSION MEETS ONE TIME PER YEAR IN EACH POLICE DISTRICT.

*THIS IS THE TARAVAL COMMUNITY'S CHANCE TO MEET THE COMMISSIONERS
AND VOICE THEIR CONCERNS.*

*CAPTAIN YALON WILL GIVE A DISTRICT REPORT AND TIME WILL BE DEVOTED
FOR PUBLIC COMMENT.*

*TARAVAL STATION IS CONVENIENTLY LOCATED 1/2 BLOCK FROM THE "L" STREETCAR LINE.
AMPLE FREE PARKING IS AVAILABLE ON SANTIAGO STREET ALONG McCOPPIN SQUARE.
LIMITED HANDICAPPED PARKING AVAILABLE ON 24TH AVENUE.*

*FOR MORE INFORMATION:
Contact Sergeant Ted Bell at 553-1612
Or
E-Mail the Station at taravalcop@aol.com*

***LET YOUR NEIGHBORS AND ASSOCIATES KNOW ABOUT THIS
OPPORTUNITY!***

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APR 28 1998

SAN FRANCISCO
PUBLIC LIBRARY

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JUN 15 1999

SAN FRANCISCO
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APRIL 29, 1998

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in the Taraval District at the Taraval Police Station Community Room, 2345 24th Avenue, San Francisco, at 6:00 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Chan, Petrillo, Perry
ABSENT: Commissioner Herrera

POLICE COMMISSION ANNOUNCEMENTS

- a. Motion of Calendaring of New Items
- b. Notification of Resignation of Officer Joann M. Dippold, Ingleside (File No. C97-139 JWA)

Commissioner Chan welcomed the audience.

A moment of silence was observed in memory of Officer Chetcuti of the Millbrae Police Department who was killed in the line of duty.

RESOLUTION NO. 30-98

HEARING OF OFFICER JOANNE M. DIPPOLD, INGLESIDE
(FILE NO. C97-139 JWA)

WHEREAS, on July 21, 1997, Prentice E. Sanders, Assistant Chief of Police, made and served charges against Police Officer Joanne M. Dippold, Star No. 1575, as follows:

SPECIFICATION NO. 1

Possession or use of a controlled substance as defined by the Uniform Controlled Substances Act without a valid prescription (violation of Rule 1-C-1 of Department General Order 2.03 of the San Francisco Police Department);

and

WHEREAS, Officer Joanne M. Dippold, Star No. 1575, Ingleside, submitted her resignation from the San Francisco Police Department effective close of business on Wednesday, April 17, 1998; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Officer Joanne M. Dippold, Star No. 1575, be, and the same are hereby continued off calendar.

AYES: Commissioners Norman, Chan, Petrillo, Perry
ABSENT: Commissioner Herrera

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT
DEPARTMENT EVENTS

Chief Lau stated that the department will send representations to the services for Officer Chetcuti.

OCC DIRECTOR'S REPORT RE: STAFFING, BUDGET, AND
SUMMARY OF RECENT EVENTS

Director Dunlap briefed the audience on responsibilities and duties of the OCC.

CAPTAIN MICHAEL YALON, COMMANDING OFFICER OF
TARAVAL STATION, TO ADDRESS THE COMMISSION ON POLICE
ACTIVITIES IN THE TARAVAL DISTRICT

Captain Yalon described the district's manpower, boundaries and

crimes.

Commissioner Norman arrived at 6:15 p.m.

Captain Yalon recognized Sergeant Mike Williams and Sergeant Ted Biel. Sgt. Biel presented Operation Neighbornet, Taraval website.

PUBLIC COMMENTS

- Unidentified requested for more officers.
- Unidentified suggested that Taraval be a training station.
- Dennis Shea requested more officers.
- Lilly Simms, resident, thank the Chief and Asst. Chief Sanders.
- Emperor Areadia discussed concerns.
- Regina Blossie asked for more officers and discussed prosecutions by the district attorney.
- Unidentified commended Captain Yalon and members of the Taraval.

Thereafter, the meeting was adjourned at 7:35 p.m. in memory of Officer Cheteuti.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MAY 6, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
 - a. Motion of Calendaring of New Items
4. Chief's Announcements and Review of Recent Department Events
5. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
6. Presentation of OCC January, February, and First Quarter, 1998, Statistical Reports
7. Request of the Chief of Police for Approval Authorizing the addition of Article 7.1, Permit Regulations for Horse-Drawn Vehicle Companies, to the San Francisco Municipal Police Code
8. Request of the Chief of Police for Approval for Authorization to Establish the San Francisco Police Department Mounted Posse as a Volunteer Organization
9. Discussion and Action re: Revised General Order 3.01, "Written Communication System"
10. Discussion and Possible Action re: The Board of Permit Appeals Decision concerning Taxicab Stock Transfers
11. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)

**There will be Public Comments on any item before or during discussion of each item.*

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT VIOLATION OF THE ORDINANCE,
CONTACT THE SUNSHINE ORDINANCE TASK FORCE.



MAY 6, 1998

REGULAR MEETING

JUN 15 1999

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The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:35 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Chan
ABSENT: Commissioner Petrillo, Perry

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Commissioner Norman spoke of memorial for fallen officers held today at Union Square.

DISCUSSION AND ACTION RE: REVISED GENERAL ORDER 3.01,
"WRITTEN COMMUNICATION SYSTEM"

Taken out of order. Put over one week.

DISCUSSION AND POSSIBLE ACTION RE: THE BOARD OF PERMIT
APPEALS DECISION CONCERNING TAXICAB STOCK TRANSFERS

Taken out of order. Put over when Commissioner Petrillo is present.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT
DEPARTMENT EVENTS

Chief Lau discussed memorial at Union Square.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND
SUMMARY OF RECENT EVENTS

and

PRESENTATION OF OCC'S JANUARY, FEBRUARY, AND FIRST
QUARTER, 1998, STATISTICAL REPORTS

Director Dunlap stated that the OCC is fully staffed and then presented the statistical reports.

Commissioner Norman recognized City Attorneys Lori Giorgi and Margaret Baumgartner.

RESOLUTION NO. 31-98

AUTHORIZATION TO ADD ARTICLE 7.1, PERMIT REGULATIONS
FOR HORSE-DRAWN VEHICLE COMPANIES, TO THE SAN
FRANCISCO MUNICIPAL POLICE CODE

WHEREAS, the San Francisco Police Chief issues permits to horse-drawn vehicle companies and horse-drawn vehicle drivers, but does not have sufficient Municipal Police code regulations for guidance in the issuance of those permits; and

WHEREAS, the San Francisco Police Department frequently receives complaints regarding the safety of horse-drawn vehicle operations; and

WHEREAS, the Police Chief and the public should be entitled to formal regulation of the horse-drawn vehicle industry; and

WHEREAS, this gap in the law has left the Police Chief and the public without adequate guidelines to address issues related to horse-drawn vehicle

operations; now therefore be it

RESOLVED, that the San Francisco Police Commission hereby requests Mayor Willie Brown to encourage the Board of Supervisors of the City and County of San Francisco to add Article 7.1, Permit Regulations for Horse-Drawn Vehicle Companies, to the San Francisco Municipal Police Code, which will allow Police Department regulation of local horse-drawn vehicle companies.

AYES: Commissioners Norman, Herrera, Chan
 ABSENT: Commissioner Petrillo

**REQUEST OF THE CHIEF OF POLICE FOR APPROVAL FOR
 AUTHORIZATION TO ESTABLISH THE SAN FRANCISCO POLICE
 DEPARTMENT MOUNTED POSSE AS A VOLUNTEER
 ORGANIZATION**

Deputy Chief Welch presented Mounted Posse and introduced Stan Rosenberg, Milo Schmedt and Angelo Castanzo. Chief Welch also presented a video regarding mounted posse.

RESOLUTION NO. 32-98

**AUTHORIZATION TO ESTABLISH THE SAN FRANCISCO POLICE
 DEPARTMENT MOUNTED POSSE AS A VOLUNTEER
 ORGANIZATION**

WHEREAS, for forty-two (42) years, the San Francisco Sheriff's Posse has participated in numerous civic events and charitable activities; and

WHEREAS, the Board of Directors of the San Francisco Sheriff's Posse has voted to affiliate with the San Francisco Police Department as the San Francisco Mounted Posse; and

WHEREAS, once formally organized as the San Francisco Police Department Mounted Posse, a non-profit group, the organization will provide insurance coverage for its activities and hold harmless the City and County of San Francisco and the San Francisco Police Department; and

WHEREAS, once formally organized as the San Francisco Police Department Mounted Posse, the organization will continue its participation in civic and charitable activities under guidelines to be established by the Police Department; now therefore be it

RESOLVED, that the San Francisco Sheriff's Posse be permitted to affiliate with the San Francisco Police Department as the San Francisco Police Department Mounted Posse; and be it further

RESOLVED, that the Chief of Police is authorized to create operational guidelines for the Patrol.

AYES: Commissioners Norman, Herrera, Chan
 ABSENT: Commissioners Petrillo, Perry

PUBLIC COMMENTS

Ron McLashen discussed prosecution of prostitution cases.
 Unidentified discussed police memorial and persons killed by police.

Thereafter, the meeting was adjourned at 6:15 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MAY 13, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

- 3/98
1. Pledge of Allegiance
 2. Roll Call
 3. Approval of Consent Calendar
 4. Police Commission Announcements
 - a. Motion of Calendaring of New Items
 - b. Election of Officers
 5. Chief's Announcements and Review of Recent Department Events
 6. Presentation of Commendations by the Mayor's Office to Sergeant Michael J. Sullivan and Officer Brenda Walker
 7. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
 8. Discussion and Action re: Revised General Order 3.01, "Written Communication System"
 9. Discussion and Action re: Department General Order 7.03, "Dissemination of Information Regarding Sex Offenders"
 10. Discussion re: Performance Audit of the San Francisco Police Department, Phase 2
 11. Discussion and Possible Action re: The Board of Permit Appeals Decision concerning Taxicab Stock Transfers

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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MAY 13, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
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SIDNEY CHAN
Commissioner

EDWARD J. PETRILLD
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

12. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)
13. Hearing and Disposition on Disciplinary Charges filed against Officer Michael A. Toropovsky, Park (File No. C96-204 DMC)

CONSENT CALENDAR

1. Request of the Chief of Police for Approval to Accept donation of \$2,500.00 to the San Francisco Police Department Wilderness Program from the McKesson Foundation

**There will be Public Comments on any item before or during discussion of each item.*

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
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THOMAS J. CAHILL HALL OF JUSTICE, 850 BRYANT ST., RM. 505, SAN FRANCISCO, CA 94103-4603 (415) 553-1667 FAX (415) 553-1669

JUN 15 1999

MAY 13, 1998REGULAR MEETINGSAN FRANCISCO
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The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in a Regular Meeting

PRESENT: Commissioners Norman, Herrera, Chan, Petrillo, Perry

APPROVAL OF CONSENT CALENDARRESOLUTION NO. 33-98APPROVAL TO ACCEPT DONATION OF \$2,500 TO THE SAN FRANCISCO POLICE DEPARTMENT WILDERNESS PROGRAM FROM THE McKESSON FOUNDATION

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to accept donation of \$2,500 to the San Francisco Police Department Wilderness Program from the McKesson Foundation.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

POLICE COMMISSION ANNOUNCEMENTS

- a. Motion of Calendaring of New Items
- b. Election of Officers

Election of Officers

Moved towards end to meeting.

No Commission report.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau briefed the Commission on memorial held last week regarding officers killed in the line of duty and suggested it be a yearly event. The Chief also stated that memorial for Officer Mandelke will be on May 8th.

Chief Lau discussed the Fishing Program fundraiser which was very successful.

Captain Dillon briefed the Commission on officer involved shooting that happened this afternoon.

Officer Sherman Ackerson introduced Dr. Genevieve Ames and Dr. Roland Moore to present a check to the James Guelff and Jeff Barker Memorial Fund. Doctors Ames and Moore did a study in what it is in a person's occupation that affects their health. The study was done with the City and County of San Francisco with cooperation of the Department of Public Health. A survey was done in the Police Department and everybody in the department who took the survey was paid \$25. Lt. Dutto suggested to Dr. Ames if she would ask the officers to make a donation into the funds for Officers Guelff and Barker. Dr. Ames stated that every single officers donated all the funds and the donation totaled to \$3000.

PRESENTATION OF COMMENDATIONS BY THE MAYOR'S OFFICE TO SERGEANT MICHAEL J. SULLIVAN AND OFFICER BRENDA WALKER

Mr. Paul Imperiale, Mayor's Office, presented awards to Sgt. Sullivan and Officer Walker.

Deputy Chief Welch commended Sgt. Sullivan.



SUMMARY OF RECENT EVENTS

Director Dunlap discussed the close of over 100 complaints in April and discussed the Garcia interviews are completed this week and resolution within 60 days.

DISCUSSION AND ACTION RE: REVISED GENERAL ORDER 3.01, "WRITTEN COMMUNICATION SYSTEM"

Put over to June 3rd.

RESOLUTION NO. 34-98ADOPTION OF GENERAL ORDER 7.03, "DISSEMINATION OF INFORMATION REGARDING SEX OFFENDERS"

RESOLVED, that the Police Commission hereby adopts General Order 7.03, "Dissemination of Information Regarding Sex Offenders."

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

DISCUSSION RE: PERFORMANCE AUDIT OF THE SAN FRANCISCO POLICE DEPARTMENT, PHASE 2

Sergeant Dave Herrera presented department's response to the audit.

Commissioner Petrillo inquired regarding Special Events overtime and street fairs reimbursements.

DISCUSSION AND POSSIBLE ACTION RE: THE BOARD OF PERMIT APPEALS DECISION CONCERNING TAXICAB STOCK TRANSFERS

City Attorney Tom Owens briefed the Commission.

PUBLIC COMMENTS re: Taxi Issue

Wayne Canterbury, Attorney, asked for open hearing.

Mark Grueberg, United Taxi, discussed concerns and asked for time limit for investigations.

Norman Lew discussed concerns.

Nathan Duri, President Yellow Cab, discussed concerns.

Calendar for Status Report taxi Stock Transfers for June 17th.

PUBLIC COMMENTS

Ron McLashen commended the department and talked about ride-along.

HEARING OF POLICE OFFICER MICHAEL A. TOROPOVSKY, PARK (FILE NO. C96-204 DMC)

The hearing of Police Officer Michael A. Toropovsky, Star No. 2036, Park Station, was called it having been set for this date. Officer Toropovsky was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

SPECIFICATION NO. 2

Carrying a firearm while off duty and intoxicated (violation of Rules 1.A.3. and 1.B.1. of Department General Order 2.02 of the San Francisco Police Department);

SPECIFICATION NO. 3

Failing to answer truthfully and without evasion questions by a superior officer regarding a matter that relates to employment by the San Francisco Police Department (violation of Rule 21 of Department General Order 2.01 of the San Francisco Police Department);

in a properly verified complaint by Fred H. Lau, Chief of Police of the San Francisco Police Department.

Officer Michael A. Toropovsky appeared in person and was represented by Officer John Evans.

Sergeant Daniel Curiel, Attorney at Law, appeared on behalf of the San Francisco Police Department.

The Department moved to dismiss Specification No. 3. The Commission granted the department's motion to dismiss Specification No. 3.

Officer John Evans entered a plea of guilty on Specifications No. 1 and 2 on behalf of Officer Toropovsky. Officer Toropovsky personally affirmed entry of guilty plea in these matters and accepts responsibility for his acts.

Based on Officer Toropovsky's plea, the Commission requested a recommendation from Chief of Police Fred H. Lau. It is the recommendation of the Chief of Police that Officer Toropovsky be suspended for sixty (60) days, twenty-five (25) days to be served and thirty-five (35) days to be held in abeyance for one (1) year on condition of Officer Toropovsky's good behavior and that he not receive any sustained complaints of misconduct during this year; and that Officer Toropovsky enroll in the Department's 11.11 Program for a period of twenty-four (24) months.

The Commission took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 35-98

DECISION - HEARING OF OFFICER MICHAEL A. TOROPOVSKY, PARK STATION

WHEREAS, on August 12, 1997, Fred H. Lau, Chief of Police of the San Francisco Police Department, made and served charges against Police Officer Michael A. Toropovsky, as follows:

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

- (1) At all times herein mentioned, Michael Toropovsky, #2036, referred to herein as "the accused," was and is a police officer, employed by the San Francisco Police Department; and was assigned to the Tactical Division;
- (2) As a police officer, the accused was and is responsible for knowing and obeying all the rules, orders and procedures of the San Francisco Police Department;

- (3) On August 8, 1996, at 2335 hours, while off duty, the accused was operating his motor vehicle, a pickup truck, eastbound on River Road at Scenic Drive near the City of Forestville, County of Sonoma, State of California;
- (4) On August 8, 1996, at 2335 hours, California Highway Patrol (CHP) officers observed the accused driving his truck approaching them at a high rate of speed with its high beams on. The driver of the CHP vehicle turned around and followed the accused eastbound on River Road. The officers observed the accused exceeding the speed limit and drifting into the oncoming traffic lanes;
- (5) After following the accused a short way and observing his driving, the CHP officers made a traffic stop of the accused. The CHP officers asked the accused to exit his truck and the CHP officers observed that the accused had bloodshot eyes, slurred speech, and smelled of the odor of an alcoholic beverage. The officers suspected that the accused was driving under the influence of alcohol and had the accused perform field coordination tests. The accused failed to properly perform the field coordination tests and a preliminary alcohol screening test was performed which indicated a tentative blood alcohol level of .018%. On August 8, 1996, at 2345 hours, the accused was arrested for violating California Vehicle Code §§ 23152(a) and 23152(b);
- (6) California Vehicle Code §§ 23152(a) and (b), state:
- “§23152. DRIVING UNDER THE INFLUENCE.
 (a) It is unlawful for any person, while under the influence of any alcoholic beverage or drug or under the combined influence of any alcoholic beverage and drug, to drive a vehicle.
 (b) It is unlawful for any person, while having 0.08 percent or more, by weight, of alcohol in his or her blood, to drive a vehicle.”
- (7) On August 8, 1996, the accused was admonished regarding compulsory blood testing, elected to take a breath test and was taken to the Sonoma County Sheriff's substation in Guerneville, California, for that purpose. On August 9, 1996, at 0036 hours, the accused was unable to complete the breath test. The accused agreed to give a urine sample, was taken to the Sonoma County Jail for that purpose, but on August 9, 1996, at 0130 hours, was unable to complete the urine testing process. The accused then agreed to give a blood sample for a blood test and was transported to Santa Rosa Community Hospital where blood was drawn on August 9, 1996, at approximately 0200 hours. Test results quantified the level of alcohol in the accused's blood two and one-half hours after his first contact with the California Highway Patrol at .023%. California Vehicle Code §23152(b) makes it unlawful for a person to drive a motor vehicle in California with a blood alcohol level of .08% or more, by weight, of alcohol in his or her blood;
- (8) The accused, by operating a motor vehicle while under the influence of alcohol engaged in conduct which, in a criminal context, violates California Vehicle Code §§ 23152(a) and 23152(b); any reasonable police officer must know that such conduct violates the standards of the department, brings discredit on the department and is cause for discipline or dismissal from employment; therefore, such conduct violates Rule 9 of Department General Order 2.01 of the San Francisco Police Department, which states:

"MISCONDUCT. Any breach of the peace, neglect of duty, misconduct or any conduct on the part of an officer either within or without the State that tends to subvert the order, efficiency or discipline of the Department, or reflects discredit upon the Department or any member, or is prejudicial to the efficiency and discipline of the Department, though not specifically defined or set forth in Department policies and procedures, shall be considered unofficer-like conduct subject to disciplinary action."

SPECIFICATION NO. 2

Carrying a firearm while off duty and intoxicated (violation of Rules I.A.3. and I.B.1. of Department General Order 2.02 of the San Francisco Police Department);

- (9) Paragraphs 1 through 7 of Specification No. 1 are realleged as though set forth in full;
- (10) During the traffic stop and subsequent arrest, the accused told CHP officers that he was a San Francisco Police Officer. The accused denied that he had a firearm with him in the truck he was driving. A CHP officer asked if he could look in the truck cab and the accused agreed that he could. The search revealed that there was a loaded .380 caliber pistol in the center console of the truck cab. The accused admitted to the CHP officers that the weapon was his.
- (11) California Penal Code § 12025(a) defines what carrying a concealed firearm means:
- "12021(a). A person is guilty of carrying a concealed firearm when he or she does any of the following:
- (1) Carries concealed within any vehicle which is under his or her control or direction any pistol, revolver, or other firearm capable of being concealed upon the person."
- (12) The accused, by carrying a loaded firearm in his immediate possession while intoxicated has engaged in conduct which violates Rules I.A.3. and I.B.1. of Department General Order 2.02 of the San Francisco Police Department, which states:
- "Rule I.A.3. OFF DUTY. A member, while off duty and carrying a weapon, shall not consume alcoholic beverage to the extent that he/she becomes intoxicated. A member shall be deemed intoxicated if the member has a .04 percent or more by weight of alcohol in his/her blood."

SPECIFICATION NO. 3

Failing to answer truthfully and without evasion questions by a superior officer regarding a matter that relates to employment by the San Francisco Police Department (violation of Rule 21 of Department General Order 2.01 of the San Francisco Police Department);

- (11) Paragraphs 1 through 7 of Specification No. 1 and paragraphs 10 and 11 of Specification No. 2, are realleged as though set forth in full;
- (12) On Monday, August 12, 1996, the accused informed his Commanding Officer of his arrest for driving while under the influence of alcohol. His Captain asked the accused about the events surrounding his arrest and asked him if he had a firearm in his possession at the time of his arrest. The accused told his

~~Captain that he was not carrying a firearm at the time of his arrest. In fact, the accused was carrying a loaded .380 automatic in the cab of his truck at the time of his arrest;~~

- (13) ~~The accused, by failing to answer his superior officer's questions truthfully about possessing a loaded firearm at the time of his arrest has engaged in conduct which violates Rule 21 of Department General Order 2.01 of the San Francisco Police Department, which states:~~

~~"21. COOPERATION WITH INVESTIGATION. Members shall, when questioned on matters relating to their employment with the Department by a superior officer or by one designated by their superior officer, or by a member of the Office of Citizen Complaints, answer all questions truthfully and without evasion."~~

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, May 13, 1998, when the matter was submitted to the Police Commission for decision; and

WHEREAS, based on Officer Michael A. Toropovsky's plea of guilty, the Commission finds that the allegations contained in Specifications No. 1 and 2, as preferred by Chief of Police Fred H. Lau against Officer Toropovsky, are sustained; and the Commission adopts the sustained charge as its findings in this matter; therefore be it

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and discipline in the San Francisco Police Department, the Police Commission orders the following discipline be imposed:

SPECIFICATION NO. 1

Sustain

SPECIFICATION NO. 2

Sustain

SPECIFICATION NO. 3

Dismissed

That Officer Michael A. Toropovsky be suspended for sixty (60) days, twenty-five (25) days to be served and thirty-five (35) days to be held in abeyance for one (1) year on condition of Officer Toropovsky's good behavior and that he not receive any sustained complaints of misconduct during this year; and that Officer Toropovsky enroll in the Department's 11.11 Program for a period of twenty-four (24) months.

FURTHER RESOLVED, that said twenty-five (25) days suspension shall commence at 0001 hours on Saturday, May 30, 1998, and end at 2400 hours on Tuesday, June 23, 1998.

If this decision is subject to review under Code of Civil Procedure section 1094.5, then the time and within which judicial review must be sought is governed by California Code of Civil Procedure, section 1094.6.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

b. Election of Officers

Put over one week.

Thereafter, the meeting was adjourned at 7:20 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

MAY 19, 1998SPECIAL MEETING

PROCEDURAL HEARING FOR TAKING OF EVIDENCE BY
COMMISSIONER DENNIS HERRERA IN THE CHARGES FILED
AGAINST OFFICER ROBERT A. TAYAC, NARCOTICS
(FILE NO. C96-179[331]JWA)

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The hearing for taking of evidence in the disciplinary charges filed against Officer Robert A. Tayac, Narcotics, was called at 9:15 a.m., it having been continued from January 14, 1998.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Officer Robert A. Tayac appeared in person as was represented by Mr. John Prentice, Attorney at Law.

The following witnesses appeared for the Defense, were sworn and testified:

Dr. Greg Goddard
Ms. Margaret Mapes
Sergeant Stephen Johnson
Officer Robert Hansel

The meeting was then adjourned, to be continued at a later date.

Recess taken during the hearing of Officer Tayac:

10:50 a.m. - 11:10 a.m.

(The entire proceedings were taken in shorthand form by Mr. Jesse James, CSR.)

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc





The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING
WEDNESDAY, MAY 20, 1998
5:15 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

PAT NORMAN
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Vice President

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CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

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1. Roll Call
2. Public Comment on all matters pertaining to the Closed Session
3. Vote on whether to hold Closed Session and/or assert Attorney/Client Privilege to confer with legal counsel. (San Francisco Administrative Code section 67.11(a).)
4. Closed Session held pursuant to Government Code 54956.9 and San Francisco Administrative Code section 67.11(b).

CONFERENCE WITH LEGAL COUNSEL - Existing Litigation:

- a. Susan Brown, et al. v. CCSF, et al., Superior Court No. 982-030



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MAY 20, 1998
5:30 p.m.

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LT. MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Approval of Consent Calendar
4. Police Commission Announcements
 - a. Motion of Calendaring of New Items
 - b. Election of Officers
5. Chief's Announcements and Review of Recent Department Events
6. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
7. Discussion and Action re: Withdrawal of Disciplinary Charges filed against Inspector Gregory L. Ovanessian, Burglary (File Nos. C96-118[271] JWA & C45-271 JWA) and Inspector Daniel J. Yawczak, Fraud (File Nos. C96-119[272] JWA & C45-272 JWA)
8. Discussion and Action re: Revised General Order 3.01, "Written Communication System"
9. Discussion and Action re: Amendment to Police Code Section 2.12, Power of Revocation, to the San Francisco Municipal Police Code
10. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)

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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MAY 20, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT MANUEL BARRETTA
Secretary

CONSENT CALENDAR

1. Request of the Chief of Police for Approval to Accept donation of Gym Equipment: Body Master Lateral Raise Machine, Flex Abdominal Machine and Body Master Calf Machine, to the San Francisco Police Department Mission Station from the World Gym of Corte Madera, valued at approximately \$4500.00
2. Request of the Chief of Police for Approval Taxicab Permits for Tse S. Kwan and Ronald Spinhoven; and Ramped Taxicab Permit for Yung H. Park
3. Recommendation of the City Attorney for Settlement of the following claim:
 - a. Susan Brown, et al. v. CCSF, et al., Superior Court No. 982-030

**There will be Public Comments on any item before or during discussion of each item.*

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

MAY 20, 1998CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:20 p.m., in Closed Session.

Government Code 54956.9

CONFERENCE WITH LEGAL COUNSEL - Existing Litigation:

a. Susan Brown, et al. V. CCSF, et al., Superior Court No. 982-030

PRESENT: Commissioners Norman, Herrera, Petrillo

ABSENT: Commissioners Chan, Perry

MAY 20, 1998REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:35 p.m., in Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Chan, Petrillo, Perry

DISCUSSION AND VOTE ON WHETHER TO DISCLOSE ACTION
TAKEN OR DISCUSSION HELD IN CLOSED SESSION

The Commission voted not to disclose action taken or discussion held in Closed Session. 3-0

APPROVAL OF CONSENT CALENDARRESOLUTION NO. 36-98

APPROVAL TO ACCEPT DONATION OF GYM EQUIPMENT FROM
THE WORLD GYM OF CORTE MADERA TO THE SAN FRANCISCO
POLICE DEPARTMENT MISSION STATION VALUED AT
APPROXIMATELY \$4500

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to accept donation of gym equipment: Body Master Lateral Raise Machine, Flex Abdominal Machine, to the San Francisco Police Department Mission Station from the World Gym of Corte Madera, valued at approximately \$4500.00.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

RESOLUTION NO. 37-98APPROVAL OF TAXICAB OWNER'S PERMITS

WHEREAS, the Police Commission, on September 4, 1996, as per Resolution 151-96, declared that Public Convenience & Necessity requires the issuance of 100 additional taxicab permits; therefore be it

RESOLVED, that the following individuals, based on their applications and the San Francisco Permit Bureau certifications, are qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and are hereby granted to Tse S. Kwan and Ronald Spinhoven.

APPROVAL OF RAMPED TAXICAB OWNER'S PERMITS

WHEREAS, the Police Commission, on September 4, 1996, as per



Resolution 151-96, declared that Public Convenience & Necessity requires the issuance of twenty (20) additional ramped taxicab permits; therefore be it

RESOLVED, that the following named individual, based on his application and the San Francisco Permit Bureau certifications, are qualified to hold a motor vehicle for hire permit, that said ramped taxicab owner permits shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and are hereby granted to Yung H. Park.

AYES: Commissioner Norman, Herrera, Chan, Petrillo, Perry

RESOLUTION NO. 38-98

**SUSAN BROWN AND SHANNON MURPHY, BY AND THROUGH
GUARDIAN AD LITEM, SUSAN BROWN V. CITY AND COUNTY OF
SAN FRANCISCO**

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of "Susan Brown, et al. v. CCSF, et al." in Superior Court No. 982-030, be, and the same is hereby approved.

Date of Incident: November 1, 1995

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

POLICE COMMISSION ANNOUNCEMENTS

- a. Motion of Calendaring of New Items
- b. Election of Officers

Election of Officers put over to January, 1999. Approved 5-0.

**CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT
DEPARTMENT EVENTS**

Assistant Chief Sanders appeared for Chief Lau and discussed the final phase of Inspectors' Examination scheduled tomorrow.

Captain Kevin Dillon, Investigations, briefed the Commission regarding explosion on 19th Avenue on May 16, 1998.

Commissioner Petrillo asked the department for a report on reimbursement on street fairs.

**DISCUSSION AND ACTION RE: REVISED GENERAL ORDER 3.01,
"WRITTEN COMMUNICATION SYSTEM"**

Taken out of order. Put over to June 3rd.

**DISCUSSION AND ACTION RE: AMENDMENT TO POLICE CODE
SECTION 2.12, POWER OF REVOCATION, TO THE SAN FRANCISCO
MUNICIPAL POLICE CODE**

Taken out of order. Put over to June 3rd.

**OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND
SUMMARY OF RECENT EVENTS**

Mary Dunlap, OCC Director, discussed Disability Persons poster from the Independent Resource Center, 649 Mission, 3rd Floor, San Francisco.

PUBLIC COMMENTS

Unidentified asked a moment of silence for Sheila Detoy.

Jasmine discussed concerns regarding shooting and suggested change in

law regarding 14 year olds and order as adults and asked that Breslin be fired and suspended immediately.

John Crew, ACLU, requested timely information and openness regarding shooting.

Van Jones, Police Watch, discussed concerns regarding shooting and suggested that officers be suspended.

Commissioner Herrera leaves at 6:00 p.m.

Joe Hesman discussed concerns regarding shooting and that officers be put on administrative leave and suggested officers be fired.

Unidentified discussed concerns regarding shooting and suggested Breslin be fired.

John, teacher, discussed concerns and outrage regarding actions towards youth by police.

Erica suggested that officers be suspended.

Andre discussed concerns regarding shooting.

Carey discussed concerns regarding actions of police.

Gerald Smith, Cop Watch, discussed concerns regarding police.

Ashley discussed concerns regarding actions of police.

Hadley discussed concerns regarding actions of police.

Shanon Coggan discussed concerns regarding shooting and suggested officers be suspended and be charged with murder.

Denise Newborn discussed concerns regarding actions of police and that Breslin be held accountable.

Mike McLune discussed concerns regarding Breslin's background and commission complaints.

Eduardo discussed concerns regarding shooting and suggested that Breslin be suspended.

Daniel Payez discussed concerns regarding police.

Giovani discussed concerns regarding police.

Joy discussed concerns regarding shooting.

Dori Kamino discussed concerns regarding shooting.

William discussed concerns regarding actions of police.

Julie Brown, CUAV, discussed concerns regarding actions of police.

William Bowser suggested officers be suspended.

Unidentified discussed concerns regarding police.

Nancy discussed concerns regarding actions of police.

Sharon Martinez discussed concerns regarding shooting and suggested charges be dropped against the suspect.

Doris Machena discussed concerns.

Mary discussed concerns regarding actions of police.

Marla Goldstein discussed concerns regarding actions of police and officers be suspended and fired.

Thereafter, meeting was adjourned.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

CALENDAR OF PROCEEDINGS
POLICE COMMISSION MEETING

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

There will be no Police Commission Regular Meeting on *Wednesday, May 27, 1998*. The next Police Commission Regular Meeting will be on *Wednesday, June 3, 1998*, at the Thomas J. Cahill Hall of Justice, 850 Bryant Street, Room 551, San Francisco, 5:30 p.m.

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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JUNE 3, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Approval of Consent Calendar
4. Police Commission Announcements
 - a. Motion of Calendaring of New Items
5. Assignment of Commissioner and Setting of Date for Taking of Evidence on Disciplinary Charges filed against Officer Ricardo Guerrero, Narcotics (File No. C98-077 JWA)
6. Chief's Announcements and Review of Recent Department Events
7. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
8. Presentation of OCC's April, 1998, Statistical Report
9. Discussion and Action re: Revised General Order 3.01, "Written Communication System"
10. Discussion and Action re: Amendment to Police Code Section 2.12, Power of Revocation, to the San Francisco Municipal Police Code

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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

**REGULAR MEETING
WEDNESDAY, JUNE 3, 1998
5:30 p.m.**

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

11. Request of the Chief of Police to Accept and Expend Funds from the Office of Criminal Justice Planning (OCJP) to Implement the Innovative Local Law Enforcement and Community Policing
12. Request of the Chief of Police to Accept and Expend Funds from the Office of Criminal Justice Planning (OCJP) to Implement the Community Crime Resistance Program
13. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)
14. Hearing and Disposition on Disciplinary Charges filed against Officer James E. Ludlow, Mission Station (File No. C98-044 JWA)
15. Hearing and Disposition on Disciplinary Charges filed against Officer Lawrence F. McDevitt, Park Station (File No. C97-295 JWA)
16. Hearing and Disposition on Disciplinary Charges filed against Inspector William C. Vince, Juvenile Division (File No. C98-079 JWA)



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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JUNE 3, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

CONSENT CALENDAR

1. Request of the Chief of Police for Approval of Taxicab Permits for William Kulick, Hoi S. Lam, William Moran, Michael Williams; Ramped Taxicab Permit for Frank Tognoti

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

**There will be Public Comments on any item before or during discussion of each item.*

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Administrative Information

Office of the
Secretary of State
Washington, D.C.

Form No. 100

Department of State

1. Name of the organization or institution

2. Address

3. Telephone number

4. Date of issue

5. Signature and title

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SAN FRANCISCO
PUBLIC LIBRARYJUNE 3, 1998REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:40 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Chan, Petrillo, Perry
ABSENT: Commissioner Herrera

APPROVAL OF CONSENT CALENDARRESOLUTION NO. 39-98APPROVAL OF TAXICAB OWNER'S PERMITS

WHEREAS, the Police Commission, on September 4, 1996, as per Resolution 151-96, declared that Public Convenience & Necessity requires the issuance of 100 additional taxicab permits; therefore be it

RESOLVED, that the following individuals, based on their applications and the San Francisco Permit Bureau certifications, are qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and are hereby granted to:

William Kulick Hoi S. Lam William Moran
Michael Williams

APPROVAL OF RAMPED TAXICAB OWNER'S PERMITS

WHEREAS, the Police Commission, on September 4, 1996, as per Resolution 151-96, declared that Public Convenience & Necessity requires the issuance of twenty (20) additional ramped taxicab permits; therefore be it

RESOLVED, that the following named individual, based on his application and the San Francisco Permit Bureau certifications, are qualified to hold a motor vehicle for hire permit, that said ramped taxicab owner permits shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and are hereby granted to Frank Tognoti.

AYES: Commissioner Norman, Chan, Petrillo, Perry
ABSENT: Commissioner Herrera

POLICE COMMISSION ANNOUNCEMENTSa. Motion of Calendaring of New Items

Commission announced district meeting will be held on June 24th at the Bayview Police Station.

RESOLUTION NO. 40-98

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE
FOR TAKING OF EVIDENCE ON DISCIPLINARY CHARGES
FILED AGAINST OFFICER RICARDO GUERRERO, NARCOTICS
(FILE NO. C98-077 JWA)

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in the disciplinary charges filed against Officer Ricardo Guerrero, Narcotics, was called it having been set for this date; and

WHEREAS, Commissioner Sidney Chan is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Guerrero; therefore be it

RESOLVED, that Commissioner Chan is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Ricardo Guerrero and is to be set at a later date.

AYES: Commissioners Norman, Chan, Petrillo, Perry
ABSENT: Commissioner Herrera

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau discussed the June 29th Ribbon Cutting Ceremony for Boedeker Park. The Chief also discussed budget and will advise the Commission regarding same.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

&

PRESENTATION OF OCC'S APRIL, 1998, STATISTICAL REPORT

Mary Dunlap, OCC Director, received baseline budget and discussed cuts. Ms. Dunlap also presented statistics for April, 1998.

RESOLUTION NO. 41-98

ADOPTION OF REVISED GENERAL ORDER 3.01, "WRITTEN COMMUNICATION SYSTEM"

RESOLVED, that the Police Commission hereby adopts revised General Order 3.01, "Written Communication System."

AYES: Commissioner Norman, Chan, Petrillo, Perry
ABSENT: Commissioner Herrera

RESOLUTION NO. 42-98

AMENDMENT TO MUNICIPAL POLICE CODE SECTION 2.12, POWER OF REVOCATION

WHEREAS, the San Francisco Police Department frequently receives applications for reinstatement of revoked permits; and

WHEREAS, the application for reinstatement are often filed immediately after the effective revocation date of said permit; and

WHEREAS, Municipal Code, Part III, Article I, Section 31, demands that one year must pass before reapplication from a denied permit but is silent on the issue of the period of time that must expire before a revoked permit may be reapplied for; and

WHEREAS, this oversight has left the Police Department with a duty to receive and consider permit reapplication immediately after revocation, now, therefore be it

RESOLVED, that the San Francisco Police Commission hereby requests that San Francisco Mayor Willie L. Brown, Jr., urge the Board of Supervisors of the City and County of San Francisco to amend Municipal Police Code Section 2.12, Power of Revocation, which will demand a one

year waiting period before reapplication for a revoked permit.

AYES: Commissioners Norman, Chan, Petrillo, Perry
 ABSENT: Commissioner Herrera

RESOLUTION NO. 43-98

AUTHORIZING THE CHIEF OF POLICE OF THE CITY AND COUNTY OF SAN FRANCISCO TO APPLY FOR, ACCEPT, AND EXPEND FUNDS FROM THE OFFICE OF CRIMINAL JUSTICE PLANNING (OCJP) TO IMPLEMENT THE INNOVATIVE LOCAL LAW ENFORCEMENT AND COMMUNITY POLICING PROJECT (ILLECP)

RESOLVED, that the Police Commission hereby authorizes the Chief of Police to apply for, accept, and expend funds in the amount of \$348,839.00 from the Office of Criminal Justice Planning to implement the Innovative Local Law Enforcement and Community Policing Project (ILLECP).

AYES: Commissioners Norman, Chan, Petrillo, Perry
 ABSENT: Commissioner Herrera

RESOLUTION NO. 44-98

AUTHORIZING THE CHIEF OF POLICE OF THE CITY AND COUNTY OF SAN FRANCISCO TO APPLY FOR, ACCEPT, AND EXPEND FUNDS FROM THE OFFICE OF CRIMINAL JUSTICE PLANNING (OCJP) TO IMPLEMENT THE COMMUNITY CRIME RESISTANCE PROGRAM

RESOLVED, that the Police Commission hereby authorizes the Chief of Police to apply for, accept, and expend funds in the amount of \$102,556.00 from the Office of Criminal Justice Planning and an agreement to provide a match of \$11,395.00 to implement the Community Crime Resistance Program.

AYES: Commissioners Norman, Chan, Petrillo, Perry
 ABSENT: Commissioner Herrera

PUBLIC COMMENTS

Patricia Tulloch discussed Aaron Williams matter and officers involved. She further discussed matter regarding Officer Breslin and suggested that officers be charged criminally.

Daniel Bornstein, Attorney, discussed concerns regarding Bicycle Coalition and traffic accidents.

Lea Shangham, Bicycle Coalition, discussed concerns regarding police response to bicyclist accidents.

HEARING OF POLICE OFFICER JAMES E. LUDLOW, MISSION (FILE NO. C98-044 JWA)

The hearing of Police Officer James E. Ludlow, Star No. 209, Mission Station, was called it having been set for this date. Officer Ludlow was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order, efficiency, and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

SPECIFICATION NO. 2

Carrying a firearm while intoxicated (violation of Rule I-A-4 of Department General Order 2.02 of the San Francisco Police Department);

in a properly verified complaint by Fred H. Lau, Chief of Police of the San Francisco Police Department.
Employee Relations Unit
Employees' Retirement System
June 17, 1998
Page 2

Officer James E. Ludlow appeared in person and was represented by Ms. Kathy Mahoney, Attorney at Law.

Mr. Jerry W. Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Ms. Kathy Mahoney entered a plea of guilty on Specifications No. 1 and 2 on behalf of Officer Ludlow. Officer Ludlow personally affirmed entry of guilty plea in these matters and accepts responsibility for his acts.

Based on Officer Ludlow's plea, the Commission requested a recommendation from Chief of Police Fred H. Lau. It is the recommendation of the Chief of Police that Officer Ludlow be suspended for forty-five (45) days, thirty (30) days to be served and fifteen (15) days to be held in abeyance for one (1) year on condition of Officer Ludlow's good behavior and no further sustained misconduct, and that Officer Ludlow participate in treatment and counseling pursuant to Department General Order 11.11 for a period of twenty-four (24) months as prescribed by the Commanding Officer of the Staff Services Division, who may lengthen the period if he deems it necessary for the officer's successful recovery.

The Commission took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 45-98DECISION - HEARING OF OFFICER JAMES E. LUDLOW, MISSION STATION

WHEREAS, on March 23, 1998, Fred H. Lau, Chief of Police of the San Francisco Police Department, made and served charges against Police Officer James E. Ludlow, Star No. 209, as follows:

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

- (1) At all times herein mentioned, James E. Ludlow, Star Number 209, (referred to as "the accused") was a police officer employed by the San Francisco Police Department assigned to the Field Operation Bureau, Mission Police District;
- (2) As a member of the department, the accused was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;

- (3) On January 1, 1998, at 0844 hours, the accused was off duty and dressed in civilian clothes. The accused drove a motor vehicle southbound on U.S. Highway 101 in San Mateo County intending to cross San Francisco Bay on the Dumbarton Bridge to get to his home in the East Bay. On Highway 101 at the beginning of the off ramp exit to State Route 92 to the San Mateo Bridge, the accused drove his automobile off the highway, on to the shoulder of the highway, and came to a stop with the front end of the vehicle off the shoulder in a drainage ditch filled with water;
- (4) A motorist driving on Highway 101 saw the accused's vehicle immobilized with the front end in the drainage ditch. The accused was behind the wheel attempting to extricate the vehicle from the ditch. The motorist saw much black smoke coming from under the accused's vehicle, used a cellular telephone to call 911, and then went to the accused's aid. Members of the California Highway Patrol responded to the scene. The accused identified himself to the first California Highway Patrol State Traffic Officer (CHP officer) as a member of the San Francisco Police Department. The CHP officer noticed a bulge under the accused's shirt and asked the accused if he was armed; the accused said he was and the CHP officer relieved the accused of his department-issued firearm. Another CHP officer arrived, took over the investigation, and administered roadside sobriety tests. The accused failed to successfully complete the roadside sobriety tests administered after the stop;
- (5) The CHP officers arrested the accused on January 1, 1998, at 0905 hours. After the accused was arrested, the arresting officer admonished the accused that the implied consent law set forth in California Vehicle Code §23157 required him to submit to his choice of a blood, a breath, or a urine test for the presence of alcohol or drugs in the blood. The accused agreed to submit a breath test. The test was administered at the First Chance Intox Center in San Mateo County at 1010 hours. Intoxilyzer test results indicated .21 and .20 percent of alcohol in the blood by weight. The accused was released to his family and the matter was referred to the District Attorney of San Mateo County for prosecution for violation of California Vehicle Code §§23152(a) and (b);
- (6) California Vehicle Code §§23152(a) and (b), states:

"§23152. DRIVING UNDER THE INFLUENCE.

(a) It is unlawful for any person while under the influence of any alcoholic beverage or drug, or under the combined influence of any alcoholic beverage and drugs, to drive a vehicle.

(b) It is unlawful for any person while having 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle."

- (7) The accused, by driving a motor vehicle under the influence of alcoholic beverages and driving an automobile with more than 0.08 percent of alcohol by weight in his blood, engaged in conduct which, in a criminal context, violates California Vehicle Code §§23152(a) and (b); any reasonable police officer must know that such conduct violates the standards of the department and is cause for discipline or dismissal from employment; therefore, such conduct violates Rule 9 of Department General Order 2.01, which states:

"MISCONDUCT. Any breach of the peace, neglect of duty, misconduct or any conduct on the part of an officer either within or without the State

that tends to subvert the order, efficiency, or discipline of the Department, or reflects discredit upon the Department or any member, or is prejudicial to the efficiency and discipline of the Department, though not specifically defined or set forth in Department policies and procedures, shall be considered mofficer-like conduct subject to disciplinary action."

SPECIFICATION NO. 2

Carrying a firearm while intoxicated (violation of Rule 1-A-4 of Department General Order 2.02 of the San Francisco Police Department);

- (8) Paragraphs 1 through 6 of Specification No. 1 are realleged as though set forth in full;
- (9) On January 1, 1998, at 0830 hours, while the accused was intoxicated, the accused was carrying his department-issued handgun;
- (10) Rule 1-B-a of Department General Order 2.02 defines intoxication as follows:

"1. Intoxication. Shall mean a member is unable to perform his/her duties because of the consumption or ingestion of alcohol. A member shall be deemed intoxicated if the member has .04 percent or more by weight of alcohol in his/her blood."

- (11) The accused, by carrying a firearm while intoxicated, violated Rule 1-A-4 of Department General Order 2.02 of the San Francisco Police Department, which states:

"4. INTOXICATION. A member shall not be intoxicated at any time while on duty or while carrying a weapon."

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, June 3, 1998, when the matter was submitted to the Police Commission for decision; and

WHEREAS, based on Officer James E. Ludlow's plea of guilty, the Commission finds that the allegations contained in Specifications No. 1 and 2, as preferred by Chief of Police Fred H. Lau against Officer Ludlow, are sustained; and the Commission adopts the sustained charge as its findings in this matter; therefore be it

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and discipline in the San Francisco Police Department, the Police Commission orders the following discipline be imposed:

SPECIFICATION NO. 1

Sustain

SPECIFICATION NO. 2

Sustain

That Officer James E. Ludlow be suspended for forty-five (45) days, thirty (30) days to be served and fifteen (15) days to be held in abeyance for

one (1) year on condition of Officer Ludlow's good behavior and no further sustained misconduct, and that Officer Ludlow participate in treatment and counseling pursuant to Department General Order 11.11 for a period of twenty-four (24) months as prescribed by the Commanding Officer of the Staff Services Division, who may lengthen the period if he deems it necessary for the officer's successful recovery.

FURTHER RESOLVED, that said thirty (30) days suspension shall commence at 0001 hours on Saturday, July 4, 1998, and end at 2400 hours on Sunday, August 2, 1998.

If this decision is subject to review under Code of Civil Procedure section 1094.5, then the time and within which judicial review must be sought is governed by California Code of Civil Procedure, section 1094.6.

AYES: Commissioners Norman, Chan, Petrillo, Perry
ABSENT: Commissioner Herrera

**HEARING AND DISPOSITION ON DISCIPLINARY CHARGES
FILED AGAINST OFFICER LAWRENCE F. McDEVITT, PARK
STATION (FILE NO. C97-295 JWA)**

Put over to June 10, 1998.

**HEARING AND DISPOSITION ON DISCIPLINARY CHARGES
FILED AGAINST INSPECTOR WILLIAM C. VINCE, JUVENILE
DIVISION (FILE NO. C98-079 JWA)**

Put over to a later date.

Thereafter, the meeting was adjourned at 6:50 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc





The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

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JUN 10 1998
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SAN FRANCISCO POLICE COMMISSION AGENDA

**REGULAR MEETING
WEDNESDAY, JUNE 10, 1998
5:30 p.m.**

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
 - a. Motion of Calendaring of New Items
4. Chief's Announcements and Review of Recent Department Events
5. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
6. Presentation of the OCC's Early Warning System Report, First Quarter 1998
7. Request of the Chief of Police for Approval to Retroactively Apply for, Accept and Expend Funds from the Office of Criminal Justice Planning (OCJP) to implement the Suppression of Drug Abuse in Schools Program
8. Request of the Chief of Police for Approval to Amend Municipal Police Code in Compliance with State Requirements for Drug and Alcohol Testing for Taxicab Drivers





The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

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Commissioner

LT MANUEL BARRETTA
Secretary

9. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)
10. Hearing and Disposition on Disciplinary Charges filed against Officer Lawrence F. McDevitt, Park Station (File No. C97-295 JWA)

**There will be Public Comments on any item before or during discussion of each item.*

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

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JUN 15 1999

SAN FRANCISCO
PUBLIC LIBRARYJUNE 10, 1998REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Petrillo, Perry
ABSENT: Commissioner Norman

POLICE COMMISSION ANNOUNCEMENTS

- a. Motion of Calendaring of New Items
- b. Request of the Chief of Police to urge the Recreation and Park Commission to Name the Children's Playground Area of Boedekker Park in Memory of Sergeant Kenneth Sugrue

Commissioner Petrillo asked that the discussion and action regarding Prop K be calendared for July 29th.

Chief Lau advised the Commission regarding the death of Sergeant Sugrue and requested that Item b be calendared on a-need-arose basis. Request approved 4-0.

RESOLUTION NO. 46-98

APPROVAL OF REQUEST OF THE CHIEF OF POLICE TO URGE THE RECREATION AND PARK COMMISSION TO NAME THE CHILDREN'S PLAYGROUND AREA OF BOEDEKKER PARK IN MEMORY OF SERGEANT KENNETH SUGRUE

WHEREAS, Sergeant Kenneth Sugrue was an advocate for children and was instrumental in having the children's playground in Boedekker Park renovated;

WHEREAS, on June 29, 1998, the renovation will be completed with a ribbon-cutting ceremony planned to unveil the new children's playground;

WHEREAS, the untimely death of Sergeant Kenneth Sugrue affected not only every member of the San Francisco Police Department but also many citizens living in the Tenderloin, the Chief of Police requested the Police Commission to urge the Recreation and Park Commission to name the Children's Playground Area of Boedekker Park in memory of Sergeant Kenneth Sugrue; therefore be it

RESOLVED, that the Police Commission urges the Recreation and Park Commission to name the Children's Playground Area of Boedekker Park in memory of Sergeant Kenneth Sugrue.

AYES: Commissioners Herrera, Chan, Petrillo, Perry
ABSENT: Commissioner Norman

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Lieutenant Davenport, SID, briefed the Commission regarding hate crime in the Haight Street area.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Dunlap, OCC, announced the Diane Chin will be leaving OCC in July to head the Chinese for Affirmative Action. Ms. Dunlap commended Diane



Chin and thanked her for her work.

Director Dunlap stated the OCC is in receipt of complaint regarding shooting of Sheila Deto.

Commissioner Herrera expressed good wishes to Ms. Chin.

PRESENTATION OF THE OCC'S EARLY WARNING SYSTEM REPORT, FIRST QUARTER 1998

Director Dunlap presented Early Warning System Report and stated that there is 41 persons on the list.

RESOLUTION NO. 47-98

AUTHORIZING THE CHIEF OF POLICE OF THE CITY AND COUNTY OF SAN FRANCISCO TO RETROACTIVELY APPLY FOR, ACCEPT, AND EXPEND FUNDS FROM THE OFFICE OF CRIMINAL JUSTICE PLANNING (OCJP) TO IMPLEMENT THE SUPPRESSION OF DRUG ABUSE IN SCHOOLS PROGRAM

RESOLVED, that the Police Commission hereby authorizes the Chief of Police to retroactively apply for, accept, and expend funds in the amount of \$100,000 from the Office of Criminal Justice Planning to implement the Suppression of Drug Abuse in the Schools Program.

AYES: Commissioners Herrera, Chan, Petrillo, Perry
ABSENT: Commissioner Norman

REQUEST OF THE CHIEF OF POLICE FOR APPROVAL TO AMEND MUNICIPAL POLICE CODE IN COMPLIANCE WITH STATE REQUIREMENTS FOR DRUG AND ALCOHOL TESTING FOR TAXICAB DRIVERS

Mark Gruberg, United Taxi Workers, discussed concerns regarding Civil Liberties.

Commissioner Petrillo asked the Chief to review and research random testing at a later date.

RESOLUTION NO. 48-98

APPROVAL TO AMEND MUNICIPAL POLICE CODE IN COMPLIANCE WITH STATE REQUIREMENTS FOR DRUG AND ALCOHOL TESTING FOR TAXICAB DRIVERS

WHEREAS, the California State Legislature has amended the State Government Code to require all counties and cities to regulate the Taxicab Industry, including drug and alcohol testing for taxicab drivers; and

WHEREAS, current San Francisco Municipal Police Code, Article 16, provides for all State required regulation except those requirements relating to drug and alcohol testing; therefore be it

RESOLVED, that the attached proposed ordinance amending Municipal Police Code Section 1089 of Article 16 to include such requirements is hereby approved by the Police Commission and transmitted to the Board of Supervisors of the City and County of San Francisco for adoption.

AYES: Commissioners Herrera, Chan, Petrillo, Perry
ABSENT: Commissioner Norman

PUBLIC COMMENTS

Wanda Ramos, Opera Plaza Association, discussed panhandlers at Van Ness and Turk Street area and asked that laws be enforced regarding panhandling in the Turk Street area.

Ron McLashen discussed concerns regarding panhandling at Van Ness and Turk Streets.

HEARING AND DISPOSITION ON DISCIPLINARY CHARGES FILED AGAINST OFFICER LAWRENCE F. McDEVITT, PARK STATION (FILE NO. C97-295 JWA)

Put over one (1) week.

Thereafter, the meeting was adjourned in memory of Sergeant Kenneth Sugrue.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/re



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

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JUN 17 1998

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SAN FRANCISCO POLICE COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING
WEDNESDAY, JUNE 17, 1998
4:45 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

OENNIS J HERRERA
Vice President

SIONEY CHAN
Commissioner

EOWARD J PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT MANUEL BARRETTA
Secretary

1. Roll Call
2. Public Comment on all matters pertaining to the Closed Session
3. Vote on whether to hold Closed Session and/or assert Attorney/Client Privilege to confer with legal counsel. (San Francisco Administrative Code section 67.11(a).)
4. Closed Session held pursuant to Government Codes 54956.9 and 54957 and San Francisco Administrative Code section 67.11(b).

CONFERENCE WITH LEGAL COUNSEL - Existing Litigation:

- a. Brenna Bavis v. CCSE, USDC No. C95-3969 CRB

PUBLIC EMPLOYEE EVALUATION

- a. Chief of Police Fred H. Lau

PERSONNEL MATTER

- a. Re: Employment/Disciplinary Charges against Inspector Gregory L. Ovanessian & Inspector Daniel J. Yawczak





The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

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JUN 17 1998

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PAT NORMAN
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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JUNE 17, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

1. Pledge of Allegiance
2. Roll Call
3. Approval of Consent Calendar
4. Police Commission Announcements
 - a. Motion of Calendaring of New Items
5. Chief's Announcements and Review of Recent Department Events
6. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
7. Request of the Chief of Police for Approval to Enter into a Lease Agreement for the Property Located at 626 Potrero Avenue for the Purpose of Housing Two Investigative Units
8. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JUNE 17, 1998
5:30 p.m.

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Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

9. Hearing and Disposition on Disciplinary Charges filed against Officer James A. Adams, Special Operations (File No. C98-060 JWA)

CONSENT CALENDAR

1. Recommendation of the City Attorney for Settlement of the following claim:
- a. Brenna Bavis v. CCSF, USDC No. C95-3969 CRB

**There will be Public Comments on any item before or during discussion of each item.*

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JUN 15 1999

SAN FRANCISCO
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The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, at the Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 4:55 p.m., in Closed Session.

CONFERENCE WITH LEGAL COUNSEL - Existing Litigation

- a. Brenna Bavis v. CCSE, USDC No. C95-3969 CRB

PUBLIC EMPLOYEE EVALUATION

- a. Chief of Police Fred H. Lau

PERSONNEL MATTER

- a. Re: Employment/Disciplinary Charges against Inspector Gregory L. Ovanessian and Inspector Daniel J. Yawczak

PRESENT: Commissioners Norman, Petrillo, Perry

ABSENT: Commissioners Herrera, Chan

JUNE 17, 1998REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:40 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Chan, Petrillo, Perry

DISCUSSION AND VOTE ON WHETHER TO DISCLOSE ACTION TAKEN OR DISCUSSION HELD IN CLOSED SESSION

The Commission voted not to disclose action taken or discussion held in Closed Session.

APPROVAL OF CONSENT CALENDARRESOLUTION NO. 49-98BRENNA BAVIS v. CCSE

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of "Bavis v. City and County of San Francisco" in United District Court N.D. Cal. No.95-3969 CRB, be, and the same is hereby approved.

Date of Incident: November 9, 1994

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

POLICE COMMISSION ANNOUNCEMENTS

- a. Motion of Calendaring of New Items

Commissioner Norman stated the Commission approved raise for Chief Lau under closed session.

District Meeting will be on June 24th and no meeting July 1st.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

None.

Officer Farrell Suslow, Taxi Detail, updated the Commission regarding Corporate Transfers and that Discussion and Action regarding Corporate

Transfers be ealendared for August 5th.

OCC DIRECTOR'S REQUEST RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap, OCC, stated 75 cases closed this month.

RESOLUTION NO. 50-98

AUTHORIZATION FOR THE SAN FRANCISCO POLICE DEPARTMENT TO ENTER INTO A LEASE AGREEMENT FOR THE PROPERTY LOCATED 626 POTRERO AVENUE FOR THE PURPOSE OF HOUSING TWO INVESTIGATIVE UNITS

RESOLVED, that the Police Commission authorizes the Chief of Police of the San Francisco Police Department to enter into a lease agreement for the property located at 626 Potrero Avenue for the purpose of housing two investigative units.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

PUBLIC COMMENTS

Tony discussed concerns regarding shooting of Sheila Detoy.
 Robert Sheridan, Attorney, diseussed concerns regarding Ovanessian/Yawczak matter.
 Van Jones, Bay Area Police Watch, filed complaint at the OCC against Lt. Dave Robinson, Homicide Detail.
 Lanora Anderson, Police Watch, discussed concerns regarding Sheila Detoy matter.
 Lea Young, Police Watch, discussed concerns.
 Jasmine discussed concerns regarding Detoy matter.
 Barrette Granach, Citizens United in Oakland, diseussed concerns regarding Detoy Matter.
 Jessie Muldoon asked that Lt. Robinson be taken off the ease.
 Lefty Gordon supports Lt. Robinson.
 Roger Johnson supports Lt. Robinson.
 Veronica, Center for Young Women Development, discussed concerns regarding Detoy matter.
 Leticia, Center for Young Women Development, discussed concerns regarding Detoy matter.
 Debbie, Center for Young Women Development, discussed concerns regarding Detoy matter.
 Sam, Third Eye Movement, discussed concerns regarding shooting.
 Lea discussed concerns regarding Detoy matter.
 Gerard Koscovich discussed concerns.
 Louise Vaugh discussed concerns regarding actions of poliee.
 Jeremy Graham diseussed concerns regarding Detoy matter.
 Amy Little diseussed concerns regarding Detoy matter.

Break from 7:05 p.m. - 7:23 p.m.

Jill discussed concerns regarding Detoy matter.
 Darrell Smith, Cop Watch, diseussed concerns.
 Daniel Gareia, Sr. diseussed concerns regarding Detoy matter and Mark Garcia matter.
 Rev. Donald Green supports Lt. Robinson.
 Nat Mason, Executive Director Equal Employee Opportunity Council, supports Lt. Robinson.
 Matthew Dodd diseussed concerns regarding Lt. Robinson.
 Unidentified diseussed concerns regarding investigation.

Doris Machon discussed concerns regarding investigation.
Mike McLune discussed concerns regarding investigation.

Thereafter, the meeting was adjourned at 8:00 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

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JUN 15 1999

SAN FRANCISCO
PUBLIC LIBRARYJUNE 19, 1998CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, at the Thomas J. Cahill Hall of Justice, at 8:00 a.m., in Closed Session.

PUBLIC EMPLOYEE EVALUATION

a. OCC Director Mary Dunlap

PRESENT: Commissioners Norman, Herrera, Petrillo, Perry

ABSENT: Commissioner Chan

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

**SAN FRANCISCO POLICE COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY, JUNE 24, 1998
6:00 p.m.**

*BAYVIEW DISTRICT
Bayview Police Station Community Room
201 Williams Street
San Francisco*

PAT NORMAN
President

DENNIS J HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT MANUEL BARRETTA
Secretary

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1. Pledge of Allegiance
2. Roll Call
3. Approval of Consent Calendar
4. Assignment of Commissioner and Setting of Date for Taking of Evidence on Charges filed against Officer Tracey C. Boes, Taraval (File No. C98-102 JWA)
5. Police Commission Announcements
 - a. Motion of Calendaring of New Items
6. Chief's Announcements and Review of Recent Department Events
7. OCC Director's Report re: Staffing, Budget and Summary of Recent Events
8. Captain Sylvia Harper, Commanding Officer of Bayview Station, to address the Commission on Police Activities in the Bayview District
9. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)





The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY, JUNE 24, 1998
6:00 p.m.

BAYVIEW DISTRICT
Bayview Police Station Community Room
201 Williams Street
San Francisco

CONSENT CALENDAR

1. Request of the Chief of Police for Approval of Taxicab Owner's Permits for the following individuals:

Matthias Leue
Frankie Y. Wong

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

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THE
SAN FRANCISCO POLICE COMMISSION
AND
BAYVIEW POLICE STATION

CORDIALLY INVITE YOU TO ATTEND
THE MONTHLY MEETING OF
THE SAN FRANCISCO POLICE COMMISSION

WEDNESDAY, JUNE 24TH, 1998

BAYVIEW POLICE STATION

COMMUNITY ROOM

201 WILLIAMS STREET.

TIME: 6:00 P.M.

COME AND MEET THE SAN FRANCISCO POLICE COMMISSION
THERE WILL BE A PUBLIC COMMENT SESSION DURING THE MEETING
FOR MORE INFORMATION PLEASE CONTACT
CAPTAIN SYLVIA HARPER
671-2300

PLEASE INVITE YOUR NEIGHBORS

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JUNE 24, 1998REGULAR MEETING

JUN 15 1999

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The Police Commission of the City and County of San Francisco met in the Bayview District, at the Bayview Police Station Community Room, 201 Williams Street, San Francisco, at 6:00 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Petrillo, Perry
ABSENT: Commissioner Chan

APPROVAL OF CONSENT CALENDARRESOLUTION NO. 52-98APPROVAL OF TAXICAB OWNER'S PERMITS

WHEREAS, the Police Commission, on September 4, 1996, as per Resolution 151-96, declared that Public Convenience & Necessity requires the issuance of 100 additional taxicab permits; therefore be it

RESOLVED, that the following individuals, based on their applications and the San Francisco Permit Bureau certifications, are qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and are hereby granted to Matthias Lucic and Frankie Y. Wong.

AYES: Commissioner Norman, Herrera, Petrillo, Perry
ABSENT: Commissioner Chan

RESOLUTION NO. 51-98

**ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR
TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED
AGAINST OFFICER TRACEY C. BOES, TARAVAL
(FILE NO. C98-102 JWA)**

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in the disciplinary charges filed against Officer Tracey C. Boes, TaraVal, was called it having been set for this date; and

WHEREAS, Commissioner Edward Petrillo is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Boes; therefore be it

RESOLVED, that Commissioner Petrillo is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Tracey C. Boes and is to be set at a later date.

AYES: Commissioners Norman, Herrera, Petrillo, Perry
ABSENT: Commissioner Chan

POLICE COMMISSION ANNOUNCEMENTS**a. Motion of Calendaring of New Items**

Commissioner Norman welcomed the audience and the Commissioners introduced themselves, along with Robert Janisse for OCC, and Assistant Chief Sanders for Chief Lau. Commissioner Norman also introduced the command staff.

Discussion and Action regarding Street Fair Reimbursement will be on the calendar for July 29th.

A moment of silence was observed in memory of Officer Jean McVeigh.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Assistant Chief Sanders paid tribute to Officer McVeigh.

OCC DIRECTOR'S REPORT RE: STAFFING, BUDGET, AND SUMMARY OF RECENT EVENTS

Robert Janisse, OCC, described the duties of the OCC.

CAPTAIN SYLVIA HARPER, COMMANDING OFFICER OF BAYVIEW STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE BAYVIEW DISTRICT

Captain Harper welcomed everyone and discussed police activities in the Bayview District.

PUBLIC COMMENTS

Mary Camp thanked and praised Captain Harper and the officers of Bayview Station.

Shelly G. Bell praised officers and Captain Harper.

Joe Galaread discussed concerns regarding drinking, drugs, homeless, and crimes and asked for more officers in the Third Street corridor.

Karen Huggins thanked Officers Broberg and Easton, Lt. Tapia, and officers of Bayview Station.

Julie Cavanaugh commended officers of Bayview Station.

Barbara Bushnell, Citizens Patrol, thanked the officers of Bayview Station.

Mary Stoekweather commended Captain Harper and officers and discussed drugs on Tucker Avenue.

Bruce commended the officers.

William Fobbs commended Captain Harper and the officers.

Pauline Peal, R.O.S.E.S., thanked Captain Harper and the officers and asked for more officers.

Charlotte Hoekum thanked Captain Harper and the officers and asked for more Community Policing Programs.

Rhonda Robinson commended Captain Harper.

Bill Threadgill commended Captain Harper.

Dick Millett commended Captain Harper and the officers.

Greg Holmes commended officers.

Henry Toy, Visitation Valley, commended Captain Harper and the officers.

Ray Bojine thanked Captain Harper and staff.

Unidentified discussed concerns regarding hard crimes and parolees.

Beverly Taylor thanked and commended Captain Harper and the officers.

Irene Creseio commended Captain Harper and staff.

Chief Sanders thanked Captain Harper and staff.

Thereafter, the meeting was adjourned at 8:00 p.m. in memory of Officer Jean McVeigh.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

JUN. -26' 98 (FRI) 09:32 POLICE COMMISSION

TEL: 415 553 1669

P. 002



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

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JUN 26 1998

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CALENDAR OF PROCEEDINGS
POLICE COMMISSION MEETING

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

There will be no Police Commission Regular Meeting on *Wednesday, July 1, 1998*. The next Police Commission Regular Meeting will be on *Wednesday, July 8, 1998*, at the Thomas J. Cahill Hall of Justice, 850 Bryant Street, Room 551, San Francisco, 5:30 p.m.



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

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JUL 09 1998

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SAN FRANCISCO POLICE COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING
WEDNESDAY, JULY 8, 1998
4:00 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 505
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
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LT. MANUEL BARRETTA
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1. Roll Call
2. Public Comment on all matters pertaining to the Closed Session
3. Vote on whether to hold Closed Session and/or assert Attorney/Client Privilege to confer with legal counsel. (San Francisco Administrative Code section 67.11(a).)
4. Closed Session held pursuant to Government Code 54957 and San Francisco Administrative Code section 67.11(b).

PUBLIC EMPLOYEE EVALUATION

- a. O.C.C. Director Mary Dunlap



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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JULY 8, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

OENNIS J HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Discussion and Vote on whether to Disclose Action Taken or Discussion Held in Closed Session
4. Approval of Minutes of Meetings of April 15, 22, 29, 1998; May 6, & 13, 1998
5. Approval of Consent Calendar
6. Assignment of Commissioner and Setting of Date for Taking of Evidence on Disciplinary Charges filed against Officer Kevin P. Murray, Airport Bureau (File No. C98-103 JWA)
7. Police Commission Announcements
 - a. Motion of Calendaring of New Items
8. Chief's Announcements and Review of Recent Department Events
9. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
10. Request of the Chief of Police to Accept and Expend Additional Funds of \$8281.00 from the Office of Criminal Justice Planning to Implement the Operation Revitalization - "Weed & Seed" Program

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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JULY 8, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
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EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

11. Discussion and Action re: Revision of Rules for Patrol Special Officers and Assistant Patrol Special Officers
12. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)
13. Hearing and Disposition on Disciplinary Charges filed against Officer Ricardo Guerrero, Narcotics (File No. C98-077 JWA)

CONSENT CALENDAR

1. Request of the Chief of Police for Approval to Accept Donation of Three Laptop Computers, valued at \$4500, from Oracle Corporation for use of the Burglary/Fencing Unit

**There will be Public Comments on any item before or during discussion of each item.*

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.



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JULY 8, 1998

CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 4:00 p.m., in Closed Session.

PUBLIC EMPLOYEE EVALUATION

a. OCC Director Mary Dunlap

PRESENT: Commissioners Norman, Herrera, Chan, Perry

ABSENT: Commissioner Petrillo

JULY 8, 1998

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:45 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Chan, Perry

ABSENT: Commissioner Petrillo

DISCUSSION AND VOTE ON WHETHER TO DISCLOSE ACTION
TAKEN OR DISCUSSION HELD IN CLOSED SESSION

The Commission voted not to disclose action taken or discussion held in Closed Session.

APPROVAL OF MINUTES OF MEETINGS OF APRIL 15, 22, 29, 1998;
MAY 6, AND 13, 1998

Approval of minutes of meetings of April 15, 22, 29, 1998 and May 6 and 13, 1998, the Commissioners having received, approved, and returned copies of same. Minutes approved 4-0.

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 53-98

APPROVAL TO ACCEPT DONATION OF THREE LAPTOP
COMPUTERS, VALUED AT \$4500, FROM ORACLE CORPORATION,
FOR USE OF THE BURGLARY/FENCING UNIT

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to accept three laptop computers, valued at \$4500, from Oracle Corporation, for use of the Burglary/Fencing Unit.

AYES: Commissioners Norman, Herrera, Chan, Perry

ABSENT: Commissioner Petrillo

RESOLUTION NO. 54-98

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR
TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED
AGAINST OFFICER KEVIN P. MURRAY, AIRPORT BUREAU
(FILE NO. C98-103 JWA)

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in the disciplinary charges filed against Officer Kevin P. Murray was called it having been set for this date; and

WHEREAS, Commissioner Pat Norman is hereby assigned to conduct

taking of evidence in the disciplinary charges filed against Officer Murray; therefore be it

RESOLVED, that Commissioner Norman is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Kevin P. Murray and is to be set at a later date.

AYES: Commissioners Norman, Herrera, Chan, Perry
ABSENT: Commissioner Petrillo

POLICE COMMISSION ANNOUNCEMENTS

a. **Motion of Calendaring of New Items**

None.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Assistant Chief Sanders discussed arrest for Chinatown shooting. Lieutenant Davenport briefed Commission regarding Chinatown shooting and arrest.

Lieutenant Robinson, Homicide, briefed the Commission regarding shooting on the Bay Bridge and Texas homicide suspect.

Captain Dillon briefed the Commission regarding two bank robberies, Tuesday, at Fillmore and Clay Streets, and Costco robbery.

Chief Sanders commended Wendy Chong, Fingerprint Technician.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap, OCC, stated that over 100 cases were closed in June.

RESOLUTION NO. 55-98

APPROVAL TO ACCEPT AND EXPEND ADDITIONAL FUNDS OF \$8,281.00 FROM THE OFFICE OF CRIMINAL JUSTICE PLANNING TO IMPLEMENT THE OPERATION REVITALIZATION - "WEED & SEED" PROGRAM

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to accept and expend additional funds of \$8,281.00 from the Office of Criminal Justice Planning to implement the Operation Revitalization - "Weed & Seed" Program.

AYES: Commissioners Norman, Herrera, Chan, Perry
ABSENT: Commissioner Petrillo

DISCUSSION AND ACTION RE: REVISION OF RULES FOR PATROL SPECIAL OFFICERS AND ASSISTANT PATROL SPECIAL OFFICERS

Put over to July 15th.

PUBLIC COMMENTS

Bruce Kapsack discussed Garcia investigation.

Glenda Powell, resident Mission District, commended Captain Suhr and supports Captain Suhr.

Unidentified supports Mark Garcia family and asked the Captain Suhr be suspended, and asked for a moment of silence for Mark Garcia.

Unidentified discussed concerns regarding actions of police.

Ron Garcia discussed concerns regarding Garcia case and asked that

officers be suspended and terminated.

Dan Garcia, brother of Mark Garcia, asked that there be criminal charges filed against the officers.

Deandre, October 22 Coalition, discussed concerns regarding Garcia case.

Unidentified discussed concerns regarding actions of police.

Lenore Anderson, Bay Area Police Watch, discussed concerns regarding Garcia case.

Letieia Simon discussed concerns.

**HEARING AND DISPOSITION ON DISCIPLINARY CHARGES FILED
AGAINST OFFICER RICARDO GUERRERO, NARCOTICS
(FILE NO. C98-077 JWA)**

Put over one (1) week.

Thereafter, the meeting was adjourned at 6:50 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/re





The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

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JUL 15 1998

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SAN FRANCISCO POLICE COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING
WEDNESDAY, JULY 15, 1998
5:00 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 505
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT MANUEL BARRETTA
Secretary

1. Roll Call
2. Public Comment on all matters pertaining to the Closed Session
3. Vote on whether to hold Closed Session and/or assert Attorney/Client Privilege to confer with legal counsel. (San Francisco Administrative Code section 67.11(a).)
4. Closed Session held pursuant to Government Code 54956.9 and San Francisco Administrative Code section 67.11(b).

CONFERENCE WITH LEGAL COUNSEL - Existing Litigation

- a. Officers for Justice vs. City and County of San Francisco, et. al.
Case No. C73-06567



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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

For Patrick 17/10/1998
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JUL 15 1998

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JULY 15, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Discussion and Vote on whether to Disclose Action Taken or Discussion Held in Closed Session
4. Approval of Consent Calendar
5. Assignment of Commissioner and Setting of Date for Taking of Evidence on the Appeal of the Chief's Suspension of Sergeant Allen S. Siegel, Park Station (File No. D98-001 JWA)
6. Police Commission Announcements
 - a. Motion of Calendaring of New Items
7. Chief's Announcements and Review of Recent Department Events
8. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
9. Request of the Chief of Police for Approval of Proposed Purchase and Renovation of the Property at 301 Eddy Street, for Use as the Tenderloin Task Force Police Facility
10. Discussion and Action re: Revision of Rules for Patrol Special Officers and Assistant Patrol Special Officers
11. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)



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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JULY 15, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
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San Francisco, California*

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Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT MANUEL BARRETTA
Secretary

12. Hearing and Disposition on Disciplinary Charges filed against Officer Ricardo Guerrero, Narcotics (File No. C98-077 JWA)
13. Hearing and Disposition on Disciplinary Charges filed against Officer James Adams, Special Operations (File No. C98-060 JWA)
14. Hearing and Disposition on Disciplinary Charges filed against Inspector Michael P. Wilcox, Burglary (File No. C98-083 JWA)

CONSENT CALENDAR

1. Request of the Chief of Police for Approval to Accept a donation of a Vehicle Tracking System, from Teletrac, valued at less than \$5000, to be used by the Airport Bureau's Investigation Services Unit

**There will be Public Comments on any item before or during discussion of each item.*

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
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JUN 15 1999

SAN FRANCISCO
PUBLIC LIBRARYJULY 15, 1998CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 4:50 p.m., in Closed Session

CONFERENCE WITH LEGAL COUNSEL - Existing Litigation

- a. Officers for Justice vs. City and County of San Francisco, et. al.,
Case No. C73-06567

PRESENT: Commissioners Norman, Chan, Perry
ABSENT: Commissioners Herrera, Petrillo

JULY 15, 1998REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Chan, Perry
ABSENT: Commissioner Petrillo

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Taken out of order:

Chief Lau read a statement regarding Captain Suhr. The Chief stated:

"I have ordered an immediate Management Control Division investigation of the allegations of misconduct recently made against Captain Gregory Suhr. This investigation will be thorough and complete. If any misconduct is proved, it will be swiftly and appropriately dealt with.

Should, however, these allegations be found to be false or maliciously brought, I will refer the matter to the District Attorney for criminal prosecution under Penal Code Section 148.6.

Captain Suhr will continue to serve as Commanding Officer of Mission Station."

DISCUSSION AND VOTE ON WHETHER TO DISCLOSE ACTION TAKEN OR DISCUSSION HELD IN CLOSED SESSION

The Commission voted not to disclose action taken or discussion held in Closed Session.

APPROVAL OF CONSENT CALENDARRESOLUTION NO. 56-98APPROVAL TO ACCEPT DONATION OF A VEHICLE TRACKING SYSTEM FROM TELETRAC, VALUED AT APPROXIMATELY \$15,000, TO BE USED BY THE AIRPORT BUREAU'S INVESTIGATION SERVICES UNIT

RESOLVED, that the Police Commission hereby approves requests of the Chief of Police to accept donation of a vehicle tracking system from Teletrac, valued at approximately \$15,000, to be used by the Airport Bureau's Investigation Services Unit.



AYES: Commissioners Norman, Herrera, Chan, Perry
 ABSENT: Commissioner Petrillo

RESOLUTION NO. 57-98

**ASSIGNMENT OF COMMISSION AND SETTING OF DATE FOR
 TAKING OF EVIDENCE ON THE APPEAL OF THE CHIEF'S
 SUSPENSION OF SERGEANT ALLEN S. SIEGEL, PARK STATION
 (FILE NO. D98-001 JWA)**

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in the appeal of the Chief's suspension of Sergeant Allen S. Siegel, Park Station, was called it having been set for this date; and

WHEREAS, Commissioner Edward Petrillo is hereby assigned to conduct taking of evidence in the appeal of the Chief's suspension of Sergeant Siegel; therefore be it

RESOLVED, that Commissioner Petrillo is hereby assigned to conduct taking of evidence in the appeal of the Chief's suspension of Sergeant Allen S. Siegel, and is to be set at a later date.

AYES: Commissioners Norman, Herrera, Chan, Perry
 ABSENT: Commissioner Petrillo

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Balinton matter to be calendared for August 19th in lieu of a regular Commission meeting.

**OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND
 SUMMARY OF RECENT EVENTS**

Director Dunlap, OCC, announced resignation of Robert Janisse and Blanch Blackman and commended both for their efforts.

**REQUEST OF THE CHIEF OF POLICE FOR APPROVAL OF
 PROPOSED PURCHASE AND RENOVATION OF THE PROPERTY AT
 301 EDDY STREET, FOR USE AS THE TENDERLOIN TASK FORCE
 POLICE FACILITY**

Taken off calendar.

RESOLUTION NO. 58-97

**APPROVAL OF REVISION OF RULES FOR PATROL SPECIAL
 OFFICERS AND ASSISTANT PATROL SPECIAL OFFICERS**

RESOLVED, that the Police Commission hereby adopts revised rules for Patrol Special Officers and Assistant Patrol Special Officers.

AYES: Commissioners Norman, Herrera, Chan, Perry
 ABSENT: Commissioner Petrillo

PUBLIC COMMENTS

Daniel Garcia discussed arrest of his son Daniel Garcia Jr.
 Daniel Garcia, Jr., discussed his arrest.
 Diandre, October 22 Coalition, discussed concerns regarding Daniel Garcia's arrest.
 Mike McLunc, Bay Area Police Watch, discussed concerns regarding

Breslin case.

Edgar, Mark Garcia's cousin, discussed concerns regarding Garcia case.

Tom Church discussed concerns regarding complaints filed against the officers' at OCC.

Break 6:10 p.m. to 6:15

**HEARING OF OFFICER RICARDO GUERRERO, NARCOTICS
(FILE NO. JWA C98-077)**

The hearing of Officer Ricardo Guerrero, Star No. 1162, Narcotics, was called it having been set for this date. Officer Guerrero was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order, efficiency, and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

SPECIFICATION NO. 2

Using department property in an unreasonable and imprudent manner (violation of Rule 23 of Department General Order 2.01 of the San Francisco Police Department);

in a properly verified complaint by Fred H. Lau, Chief of Police of the San Francisco Police Department.

Officer Ricardo Guerrero appeared in person and was represented by Ms. Kathy Mahoney, Attorney at Law.

Mr. Jerry W. Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Officer Ricardo Guerrero admits to the truth of the allegations and accepts responsibility for his acts.

Based on Officer Guerrero's admission, the Commission requested a recommendation from Chief of Police Fred H. Lau. It is the recommendation of the Chief of Police that Officer Ricardo Guerrero be suspended for 60 days, 20 days shall be held in abeyance for one (1) year on the following conditions: Officer Guerrero shall maintain a standard of good conduct and that he not receive sustained complaints of misconduct; Officer Guerrero shall serve 40 days of the suspension forthwith; and, shall participate in a program of counseling and monitoring pursuant to Department General Order 11.11. This program shall be structured by the Commanding Officer of the Staff Services Division. The program shall require evaluation of what, if any, problem Officer Guerrero may have with alcohol abuse, determine the appropriate prescription of counseling to deal with the problem, determine necessary follow up and make quarterly reports to the Commission concerning his participation in the program and recommend the appropriate termination of the program. Officer Guerrero is directed to report to Captain Antonio Parra by the close of business July 20, 1998 to start his participation in the program and thereafter as directed by Captain Parra; and, for three years, Officer Guerrero shall not drive department vehicles other than during normal duty hours for his assignment and in no case shall he take a department vehicle for overnight use or out of town.

The Commission took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 59-98**DECISION - HEARING OF OFFICER RICARDO GUERRERO,
NARCOTICS**

WHEREAS, on May 11, 1998, Fred H. Lau, Chief of Police of the San Francisco Police Department, made and served charges against Officer Ricardo Guerrero, Star No. 1162, as follows:

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

- (1) At all times herein mentioned RICARDO GUERRERO, Star Number 1162, (referred to as "the accused") was a Q-2 police officer employed by the San Francisco Police Department assigned to the Investigations Bureau, Narcotics Division.
- (2) As a member of the department, the accused was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department.
- (3) The accused was detailed to attend a police organization conference for training purposes in the City of Monterey, Monterey County, California, from November 21, 1997 through November 25, 1997. The training classes were conducted between 0800 hours and 1700 hours. The department provided a San Francisco Police Department unmarked motor vehicle to the accused for transportation to the conference from San Francisco, use at the conference and finally return to San Francisco at the conclusion of the conference.
- (4) On November 24, 1997, at 0054 hours, a Monterey Police Department officer observed the accused drive the San Francisco Police Department unmarked motor vehicle in the City of Monterey, State of California, in an area where, because of rain showers, the roads were wet and, because of construction, the roads were narrowed and marked by cylindrical orange markers to facilitate the construction in the area. The Monterey Police Department officer observed the accused turn left on to the road and accelerate rapidly and drive the unmarked automobile in excess of the posted speed limit. The Monterey Police Officer initiated a traffic stop.
- (5) The Monterey Police Officer approached the accused and requested his drivers license. The accused handed his drivers license to the officer. The Monterey Police Officer reported that he smelled the strong odor of alcoholic beverages coming from the passenger compartment of the automobile and observed objective signs that the accused had been drinking and the accused admitted to having consumed "two beers." The Monterey Police Officer administered a series of "Field Sobriety Tests" which the accused failed to successfully complete.
- (6) The Monterey Police Officer arrested the accused on November 24, 1997, at 0108 hours. After the accused was arrested the accused would not say whether he would take a test or not when informed that he would have to submit to a test for the presence of alcohol in his blood stream. The arresting officer transported the accused to the Monterey Police Department where he formally admonished the accused of his duty to submit to a the test. When they arrived

at the Station, the arresting officer admonished the accused that the implied consent law set forth in California Vehicle Code §23157 required him to submit to his choice of a blood, a breath or a urine test. The accused refused to submit to any test. The accused was cited for violation of California Vehicle Code § 23152(a) and was later released.

- (7) California Vehicle Code §§ 23152 (a) states:

"§ 23152. DRIVING UNDER THE INFLUENCE.

(a) It is unlawful for any person while under the influence of any alcoholic beverage or drug, or under the combined influence of any alcoholic beverage and drug, to drive a vehicle.

- (8) The accused, by driving a motor vehicle under the influence of alcoholic beverages engaged in conduct which, in a criminal context, violates California Vehicle Code §23152(a) and (b); the accused by refusing to be tested for the presence of alcohol in his blood after being arrested for violation of California Vehicle Code § 23152(a), also engaged in conduct which, in a criminal context, violates California Vehicle Code §23157; any reasonable police officer must know that such conduct violates the standards of the department and is cause for discipline or dismissal from employment; therefore, such conduct violates Rule 9 of Department General Order 2.01, which states:

MISCONDUCT. "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of an officer either within or without the State that tends to subvert the order, efficiency or discipline of the Department, or reflects discredit upon the Department or any member, or is prejudicial to the efficiency and discipline of the Department, though not specifically defined or set forth in Department policies and procedures, shall be considered unofficer-like conduct subject to disciplinary action."

SPECIFICATION NO. 2:

Using department property in an unreasonable and imprudent manner (violation of Rule 23 of Department General Order 2.01 of the San Francisco Police Department);

- (9) The allegations of paragraphs one through seven of Specification No. 1 above are realleged and incorporated herein by reference as though set forth in full.
- (10) The accused was permitted to use a department unmarked motor vehicle for transportation to the conference. Department General Order 2.03 extends department orders regarding drinking on duty to attendance at conferences seminars and meetings.
- (11) Rule 2 of Department general Order 2.01 requires off duty officers to "take all reasonable steps to prevent crime, detect and arrest offenders, and protect life and property, consistent with their ability to take proper action." The accused was not only not taking reasonable steps to prevent crime when he drove the department automobile after consuming alcoholic beverages, but he was engaged in criminal activity himself. It is not reasonable or prudent to drive any automobile, much less a department owned automobile, while under the influence of alcohol.
- (12) The accused, by driving a motor vehicle belonging to the San Francisco Police Department under the influence of alcoholic beverages engaged in conduct which, any reasonable police officer must know that such conduct violates the standards of the department and is cause for discipline or dismissal from

employment; therefore, such conduct violates Rule 23 of Department General Order 2.01, which states:

USE OF DEPARTMENT PROPERTY. "Members shall use Department property according to Department policies and procedures. Members shall use and operate Department vehicles and equipment in a reasonable and prudent manner"

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, July 15, 1998, when the matter was submitted to the Police Commission for decision; and

WHEREAS, based on Officer Guerrero's admission, the Commission finds that the allegations contained in Specification Nos. 1 and 2, as preferred by Chief of Police Fred H. Lau against Officer Guerrero, are sustained; and the Commission adopts the sustained charges as its findings in this matter; therefore be it

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and discipline in the San Francisco Police Department, the Police Commission orders the following discipline be imposed:

SPECIFICATION NO. 1

Sustain

SPECIFICATION NO. 2

Sustain

That Officer Ricardo Guerrero be suspended for 60 days, 20 days shall be held in abeyance for one (1) year on the following conditions: Officer Guerrero shall maintain a standard of good conduct and that he not receive sustained complaints of misconduct; Officer Guerrero shall serve 40 days of the suspension forthwith; and, shall participate in a program of counseling and monitoring pursuant to Department General Order 11.11. This program shall be structured by the Commanding Officer of the Staff Services Division. The program shall require evaluation of what, if any, problem Officer Guerrero may have with alcohol abuse, determine the appropriate prescription of counseling to deal with the problem, determine necessary follow up and make quarterly reports to the Commission concerning his participation in the program and recommend the appropriate termination of the program. Officer Guerrero is directed to report to Captain Antonio Parra by the close of business July 20, 1998 to start his participation in the program and thereafter as directed by Captain Parra; and, for three years, Officer Guerrero shall not drive department vehicles other than during normal duty hours for his assignment and in no case shall he take a department vehicle for overnight use or out of town.

FURTHER RESOLVED, that said forty (40) days suspension shall commence at 0001 hours on Saturday, July 19, 1998, and end on Thursday, August 27, 1998, at 2400 hours.

If this decision is subject to review under Code of Civil Procedure section 1094.5, then the time and within which judicial review must be sought is governed by California Code of Civil Procedure, section 1094.6.

AYES: Commissioners Norman, Herrera, Chan, Perry
ABSENT: Commissioner Petrillo

HEARING OF POLICE OFFICER JAMES A. ADAMS, SPECIAL

OPERATIONS
(FILE NO. C 98-060 JVA)

The hearing of Police Officer James A. Adams, Star No. 211, Special Operations, was called it having been set for this date. Officer Adams was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order, efficiency, and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

SPECIFICATION NO. 2

Engaging in conduct which subverts the good order, efficiency, and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

SPECIFICATION NO. 3

Engaging in conduct which subverts the good order, efficiency, and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

Employee Relations Unit
Employees' Retirement System
July 17, 1998
Page 2

in a properly verified complaint by Fred H. Lau, Chief of Police of the San Francisco Police Department.

Officer James A. Adams appeared in person and was represented by Mr. James Collins, Attorney at Law.

Mr. Jerry W. Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Mr. James Collins entered a plea of no contest on Specifications No. 1, 2 and 3 on behalf of Officer Adams. Officer Adams personally affirmed entry of no contest plea in these matters and accepts responsibility for his acts.

Based on Officer Adams' plea, the Commission requested a recommendation from Chief of Police Fred H. Lau. It is the recommendation of the Chief of Police that Officer James Adams be terminated from his employment with the San Francisco Police Department; said termination shall be held in abeyance for five (5) years on the following conditions: Officer Adams shall maintain a standard of good conduct and that he not receive sustained complaints of misconduct; Officer Adams shall serve a 180 day suspension forthwith; and, Officer Adams shall participate in a program of counseling and monitoring regarding gambling addiction, analogous to Department General Order 11.11. This program shall be structured by the Commanding Officer of the Staff Services Division. The program shall require evaluation of what, if any, problem Officer Adams may have with chronic gambling, determining the appropriate prescription of counseling to deal with the problem, determine necessary follow-up, and make quarterly reports to the Commission concerning his participation in the program and recommend the appropriate termination of the program.

The Commission took the matter under submission and the following

resolution was adopted:

RESOLUTION NO. 60-98

DECISION - HEARING OF OFFICER JAMES A. ADAMS, SPECIAL OPERATIONS

WHEREAS, on March 19, 1998, Fred H. Lau, Chief of Police of the San Francisco Police Department, made and served charges against Police Officer James A. Adams, Star No. 211, as follows:

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

- (1) At all times herein mentioned Officer JAMES A. ADAMS, Star Number 211, (herein referred to as "the accused") was a police officer employed by the San Francisco Police Department assigned to Court Liaison and later to the Special Operations Bureau.
- (2) As an officer, the accused was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department.
- (3) In early 1995, the accused developed a personal relationship with an individual (hereinafter, "bookmaker") who engaged in the business of accepting of illegal wagers.
- (4) During the period commencing in the fall of 1995 through March 1997, the accused placed numerous illegal wagers for his own account with the bookmaker. The accused wagered on the outcome of various sporting events and the wagers varied in amount, sometimes totaling several hundreds of dollars per week. By making numerous illegal wagers on sporting events, the accused engaged in conduct which would violate California Penal Code §337a(6), which states:

"Every Person,

....

6. Who lays, makes, offers or accepts any bet or bets, or wager or wagers, upon the result, or purported trial, or contest, or purported contest, of skill, speed or power of endurance of man or beast, or between men, beasts, or mechanical apparatus, is punishable by imprisonment in the country jail for a period of not more than one year or in the state prison."

....

This section shall apply not only to persons who may commit any of the acts designated in subdivisions 1 to 6 inclusive of this section, as a business or occupation, but shall also apply to every person or persons who may do in a single instance any one of the acts specified in said subdivisions 1 to 6 inclusive."

- (5) The accused, by making numerous illegal wagers on sporting events, engaged in conduct which, in a criminal context violates California Penal Code §337a(6). Any reasonable police officer must know that such conduct violates the standards of the department and is cause for discipline or dismissal from employment, therefore, such conduct subverts the good order, efficiency or discipline of the Department, and reflects discredit upon the Department in violation of Rule 9 of Department General Order 2.01, which states:

MISCONDUCT. "Any breach of the peace, neglect of duty, misconduct or any

conduct on the part of an officer either within or without the State that tends to subvert the order, efficiency or discipline of the Department, or reflects discredit upon the Department or any member, or is prejudicial to the efficiency and discipline of the Department, though not specifically defined or set forth in Department policies and procedures, shall be considered unofficer-like conduct subject to disciplinary action."

SPECIFICATION NO. 2:

Engaging in conduct which subverts the good order and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

(6) The allegations contained in paragraphs 1 through 4 of Specification No. 1, are realleged as though set forth in full.

(7) California Penal code §335, imposes a duty on law enforcement officers to report reasonably suspected gaming:

"335. Officers Charged with Detection and Prosecution. Every district attorney, sheriff, or police officer must inform against and diligently prosecute persons whom they have reasonable cause to believe offenders against the provisions of this chapter [Gaming], and every officer refusing or neglecting to do so, is guilty of a misdemeanor."

(8) On each of the many occasions which the accused placed illegal wagers with the bookmaker, the accused did not take any police action and also did not report the illegal wagering to the police department. By refusing and neglecting to take any police action in regards to known illegal wagering and refusing and neglecting to report the illegal wagering activities to the police department, the accused engaged in conduct which violated California Penal Code §335, and which also violates Rules 1, 25 and 26 of Department General Order 2.01, which states:

1. ATTENTION TO DUTY. "The basic mission of the San Francisco Police Department and its officers is to protect life and property, to preserve the peace, prevent crime, enforce criminal laws and ordinances, and to regulate non-criminal conduct as provided by law. While on-duty, officers shall devote their entire time to the achievement of this mission within the context of their respective assignments."

25. ON-DUTY WRITTEN REPORTS. "While on-duty, members shall make all required written reports of crimes or incidents requiring police attention."

26. OFF-DUTY REPORTING. "Officers shall, when off-duty, report any serious crime or urgent police matter brought to their attention. Officers shall report any incident in which they become involved as peace officer."

(9) The accused, by refusing and neglecting to take any police action regarding known illegal wagers activity and by refusing and neglecting to report illegal wagers activity to the police department, violated department rules and engaged in conduct which, in a criminal context violates California Penal Code 335. Any reasonable police officer must know that such conduct violates the standards of the department and is cause for discipline or dismissal from employment, therefore, such conduct subverts the good order, efficiency or discipline of the department, and reflects discredit upon the Department in violation of Rule 9 of Department General Order 2.01, which states:

MISCONDUCT. "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of an officer either within or without the State that tends to subvert the order, efficiency or discipline of the Department, or reflects discredit upon the Department or any member, or is prejudicial to the efficiency and discipline of the Department, though not specifically defined or set forth in

Department policies and procedures, shall be considered unofficer-like conduct subject to disciplinary action."

SPECIFICATION NO. 3:

Engaging in conduct which subverts the good order and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

- (10) The allegations contained in paragraph 1 through 4 of Specification No. 1, are realleged as though set forth in full.
- (11) During the period of time the accused maintained a relationship with the bookmaker, early 1995 through at least March 1997, the bookmaker knew that the accused was assigned to the traffic courts, and many times the bookmaker requested that the accused intervene on his behalf to obtain the dismissal or destruction of moving traffic violations for the bookmaker and for other people named by the bookmaker.
- (12) Sometime late in 1995, after the first request from the bookmaker to obtain dismissal of a citation, the accused used his position to gain access to Traffic Court records and through his efforts arranged matters to effect the dismissal of the matter. After the dismissal, the accused made a successful wager and met the bookmaker to collect his money. The bookmaker gave the accused \$50 more than the payoff due from the wager. The accused told investigators that he questioned the bookmaker about the extra money and the bookmaker replied it was for securing dismissal of the ticket. The accused stated that he protested but kept the money. Thereafter, the accused received bottles of liquor, cash and obtained unsecured loans of cash from the bookmaker. The bookmaker reduced the accused's indebtedness to him on the unsecured cash loans *pro tanto*, based on the accused's intervention in the citation adjudication process of the court. The *quid pro quo* for these gifts and loans was the accused, by his access to court records in the course of his assignment, effected the dismissal, destruction, or other disposition of more than 50 citations in the San Francisco Municipal Court, Traffic Courts.
- (13) The accused, by destroying citations and court records or other methods for causing dismissal of citations in return for presents of liquor, cash, and for cancellation of indebtedness to the bookmaker, engaged in conduct which violated California Penal Code §68. Any reasonable police officer must know that such conduct violates the standards of the department and is cause for discipline or dismissal from employment, therefore, such conduct subverts the good order, efficiency or discipline of the Department, and reflects discredit upon the Department in violation of Rule 9 of Department General Order 2.01, which states:

MISCONDUCT. "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of an officer either within or without the State that tends to subvert the order, efficiency or discipline of the Department, or reflects discredit upon the Department or any member, or is prejudicial to the efficiency and discipline of the Department, though not specifically defined or set forth in Department policies and procedures, shall be considered unofficer-like conduct subject to disciplinary action."

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, July 15, 1998, when the matter was submitted to the Police Commission for decision; and

WHEREAS, based on Officer James A. Adams plea no contest, the Commission finds that the allegations contained in Specifications No. 1, 2 and 3, as preferred by Chief of Police Fred H. Lau against Officer Adams, are sustained; and the Commission adopts the sustained charges as its findings in this matter; therefore be it

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and discipline in the San Francisco Police Department, the Police Commission orders the following discipline be imposed:

SPECIFICATION NO. 1

Sustain

SPECIFICATION NO. 2

Sustain

SPECIFICATION NO. 3

Sustain

That Officer James Adams be terminated from his employment with the San Francisco Police Department; said termination shall be held in abeyance for five (5) years on the following conditions: Officer Adams shall maintain a standard of good conduct and that he not receive sustained complaints of misconduct; Officer Adams shall serve a 180 day suspension forthwith; and, Officer Adams shall participate in a program of counseling and monitoring regarding gambling addiction, analogous to Department General Order 11.11. This program shall be structured by the Commanding Officer of the Staff Services Division. The program shall require evaluation of what, if any, problem Officer Adams may have with chronic gambling, determine the appropriate prescription of counseling to deal with the problem, determine necessary follow-up, and make quarterly reports to the Commission concerning his participation in the program and recommend the appropriate termination of the program.

FURTHER RESOLVED, that said one hundred eighty (180) days suspension shall commence at 0001 hours on Friday, July 17, 1998 and end on Tuesday, January 12, 1999, at 2400 hours.

If this decision is subject to review under Code of Civil Procedure section 1094.5, then the time and within which judicial review must be sought is governed by California Code of Civil Procedure, section 1094.6.

AYES:	Commissioners Norman, Herrera, Chan,
ABSENT:	Commissioner Petrillo
RECUSED:	Commissioner Perry

**HEARING OF INSPECTOR MICHAEL P. WILCOX, BURGLARY
(FILE NO. JWA C98-083)**

The hearing of Inspector Michael P. Wilcox, Star No. 1140, Burglary Detail, was called it having been set for this date. Inspector Wilcox was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order, efficiency, and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San

Francisco Police Department);

in a properly verified complaint by Fred H. Lau, Chief of Police of the San Francisco Police Department.

Inspector Michael P. Wilcox appeared in person and was represented by Lieutenant Dirk Beijen.

Mr. Jerry W. Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Lieutenant Beijen entered a plea of guilty on Specification No. 1 on behalf of Inspector Wilcox. Inspector Wilcox personally affirmed entry of guilty plea in these matters and accepts responsibility for his acts.

Based on Inspector Wilcox's plea, the Commission requested a recommendation from Chief of Police Fred H. Lau. It is the recommendation of the Chief of Police that Inspector Michael P. Wilcox shall be suspended for 30 days, with 10 days held in abeyance for one year on condition of good behavior and no further sustained misconduct, and that he participate in treatment and counseling pursuant to Department General Order 11.11 for a minimum of two years, as prescribed by the Commanding Officer of the Staff Services Division. Inspector Wilcox shall report to Captain Parra within three (3) business days from the date of this hearing.

The Commission took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 61-98

**DECISION - HEARING OF INSPECTOR MICHAEL P. WILCOX,
BURGLARY**

WHEREAS, on March 23, 1998, Fred H. Lau, Chief of Police of the San Francisco Police Department, made and served charges against Inspector Michael P. Wilcox, Star No. 1140, as follows:

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

- (1) At all times herein mentioned MICHAEL P. WILCOX, Star Number 1140, (referred to as "the accused") was a police officer, holding the rank of Inspector, employed by the San Francisco Police Department assigned to the Investigations Bureau, Burglary Unit.
- (2) As a member of the department, the accused was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department.
- (3) On January 1, 1998, at 0050 hours, as the accused drove a motor vehicle eastbound on East Napa Street in the City of Sonoma, California, a Sonoma City Police Officer driving westbound on East Napa Street, observed that the accused was driving his automobile with only parking lights illuminated. The Sonoma Police Department officer flashed the lights of the patrol vehicle to warn the accused to turn his headlights on. The accused did not turn his vehicle's headlights on, so the Sonoma Police officer made a U-turn and followed the accused. The Sonoma Police Officer observed the accused fail to stop at a stop sign.

- (4) The Sonoma Police Officer effected a police stop, approached the accused and requested his drivers license. The accused handed the Sonoma Police Officer his San Francisco Police Department identification. The Sonoma Police Officer asked again and the accused produced his drivers license. The accused failed to successfully complete the roadside sobriety tests administered after the stop. The accused agreed to a preliminary alcohol screening test at the scene of the stop, and the results were .094 at 0057 hours and then .088 at 0240 hours.
- (5) The Sonoma Police Officer arrested the accused on January 1, 1998, at 0102 hours. The arresting officer admonished the accused that the implied consent law set forth in California Vehicle Code §23157 required him to submit to his choice of a blood, a breath or a urine test, but that the breathalyser was not working. The accused agreed to urine testing and completed the testing process.
- (6) The urine sample provided by the accused was carried to a certified laboratory and tested at .11% after adjustment per the California Code of Regulations.
- (7) California Vehicle Code §§ 23152 (a) and (b), state:

"§ 23152. DRIVING UNDER THE INFLUENCE.

(a) It is unlawful for any person while under the influence of any alcoholic beverage or drug, or under the combined influence of any alcoholic beverage and drug, to drive a vehicle.

(b) It is unlawful for any person while having 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle."

- (8) The accused, by driving a motor vehicle under the influence of alcoholic beverages and driving an automobile with more than 0.08 percent of alcohol by weight in his blood, engaged in conduct which, in a criminal context, violates California Vehicle Code §23152(a) and (b), and any reasonable police officer must know that such conduct violates the standards of the department and is cause for discipline or dismissal from employment; therefore, such conduct violates Rule 9 of Department General Order 2.01, which states:

MISCONDUCT. "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of an officer either within or without the State that tends to subvert the order, efficiency or discipline of the Department, or reflects discredit upon the Department or any member, or is prejudicial to the efficiency and discipline of the Department, though not specifically defined or set forth in Department policies and procedures, shall be considered unofficer-like conduct subject to disciplinary action."

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, July 15, 1998, when the matter was submitted to the Police Commission for decision; and

WHEREAS, based on Inspector Wilcox's plea of guilty, the Commission finds that the allegations contained in Specification No. 1, as preferred by Chief of Police Fred H. Lau against Inspector Wilcox, are sustained; and the Commission adopts the sustained charges as its findings in this matter; therefore be it

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and discipline in the San Francisco Police Department, the

Police Commission orders the following discipline be imposed:

SPECIFICATION NO. 1

Sustain

That Inspector Wileox shall be suspended for 30 days, with 10 days held in abeyance for one year on condition of good behavior and no further sustained misconduct, and that he participate in treatment and counseling pursuant to DEPARTMENT GENERAL ORDER 11.11 for a minimum of two years, as prescribed by the Commanding Officer of the Staff Services Division. Inspector Wileox shall report to Captain Parra within three (3) business days from the date of this hearing.

FURTHER RESOLVED, that said twenty (20) days suspension shall commence at 0001 hours on Saturday, August 22, 1998, and end on Thursday, September 10, 1998, at 2400 hours.

If this decision is subject to review under Code of Civil Procedure section 1094.5, then the time and within which judicial review must be sought is governed by California Code of Civil Procedure. section 1094.6.

AYES: Commissioners Norman, Herrera, Chan, Perry
ABSENT: Commissioner Petrillo

Thereafter, the meeting was adjourned at 6:40 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/re





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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JULY 22, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
 - a. Motion of Calendaring of New Items
4. Chief's Announcements and Review of Recent Department Events
5. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
6. Request of the Chief of Police for Approval to Retroactively Apply For, Accept, and Expend Funds from the State of California Department of Alcohol Beverage Control to Implement the 1998/99 Grant Assistance to Local Law Enforcement Agencies Project
7. Request of the Chief of Police for Approval to Retroactively Apply for, Accept, and Expend Funds from the Office of Criminal Justice Planning to Implement the Violence Against Women-Law Enforcement Specialized Units Program
8. Discussion and Action re: Revocation of Taxicab Permit Medallion of Jote Kejela
9. Public Comments
(Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission and do not appear on the agenda.)

**There will be Public Comments on any item before or during discussion of each item.*

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

1877



THE
OFFICE OF THE
SECRETARY OF THE
TREASURY
WASHINGTON

Very respectfully,
Your obedient servant,
[Signature]

Approved:
[Signature]

Secretary of the Treasury

JULY 22, 1998

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Chan, Perry

ABSENT: Commissioner Petrillo

**DISCUSSION AND ACTION RE: REVOCATION OF TAXICAB PERMIT
MEDALLION OF JOTE KEJELA**

Taken out of order.

Put over to August 5th.

POLICE COMMISSION AND ANNOUNCEMENTS

a. Motion of Calendaring of New Items

None

**CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT
DEPARTMENT EVENTS**

None

**OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND
SUMMARY OF RECENT EVENTS**

Director Mary Dunlap, OCC, stated that OCC is working of vacancies and stated she will have 2nd Quarter report in two weeks.

RESOLUTION NO. 62-98

**AUTHORIZING THE CHIEF OF POLICE OF THE CITY AND COUNTY
OF SAN FRANCISCO TO RETROACTIVELY APPLY FOR, ACCEPT,
AND EXPEND FUNDS FROM THE STATE OF CALIFORNIA
DEPARTMENT OF ALCOHOL BEVERAGE CONTROL TO
IMPLEMENT THE 1998/99 GRANT ASSISTANCE TO LOCAL LAW
ENFORCEMENT AGENCIES PROJECT**

RESOLVED, that the Police Commission hereby authorizes the Chief of Police to retroactively apply for, accept, and expend funds in the amount of \$70,000.00 from the State of California Department of Alcohol Beverage Control to implement the 1998/99 Grant Assistance to Local Law Enforcement Agencies Project.

AYES: Commissioners Norman, Herrera, Chan, Perry

ABSENT: Commissioner Petrillo

RESOLUTION NO. 63-98

**AUTHORIZING THE CHIEF OF POLICE OF THE CITY AND COUNTY
OF SAN FRANCISCO TO RETROACTIVELY APPLY FOR, ACCEPT,
AND EXPEND FUNDS FROM THE OFFICE OF CRIMINAL JUSTICE
PLANNING TO IMPLEMENT THE VIOLENCE AGAINST WOMEN-
LAW ENFORCEMENT SPECIALIZED UNITS PROGRAM**

RESOLVED, that the Police Commission hereby authorizes the Chief of Police to retroactively apply for, accept, and expend funds from the Office of Criminal Justice Planning to implement the Violence against Women-Law Enforcement Specialized Units Program.

AYES: Commissioners Norman, Herrera, Chan, Perry
ABSENT: Commissioner Petrillo

PUBLIC COMMENTS

Ron McLashen discussed prostitution.

Sean Connolly, POA, discussed complaint against Captain Suhr and asked that there be an investigation against the accuser and criminal charges filed if necessary.

Gary Delagnes, Vice President POA, supports Captain Suhr and asked that Chief Lau refer the case to the district attorney; that OCC expedite investigation; investigate persons who appear at the meeting; and asked that Examiner retract article.

Thereafter, the meeting was adjourned at 5:55 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING
WEDNESDAY, JULY 29, 1998
5:00 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 505
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

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1. Roll Call
2. Public Comment on all matters pertaining to the Closed Session
3. Vote on whether to hold Closed Session and/or assert Attorney/Client Privilege to confer with legal counsel. (San Francisco Administrative Code section 67.11(a).)
4. Closed Session held pursuant to Government Code 54957 and San Francisco Administrative Code section 67.11(b).

PERSONNEL MATTER

- a. Employment/Disciplinary Charges against Inspector Gregory L. Ovanessian and Inspector Daniel J. Yawczak



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JULY 29, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, 6th Floor Auditorium
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

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JUL 30 1998

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1. Pledge of Allegiance
2. Roll Call
3. Discussion and Vote on whether to Disclose Discussion and Disclosure of Action Taken in Closed Session
4. Approval of Consent Calendar
5. Police Commission Announcements
 - a. Motion of Calendaring of New Items
6. Chief's Announcements and Review of Recent Department Events
7. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
8. Discussion and Action re: Amendment of Administrative Code Chapter 2A, Article IV, Sections 2A.76, 2A.77 and 2A.78
9. Discussion and Action re: Taxicab PC&N Hearing Officer's Findings and Recommendations
10. Public Comments
(Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JULY 29, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, 6th Floor Auditorium
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

CONSENT CALENDAR

1. Request of the Chief of Police for Approval to Accept a donation \$500.00 from the Industrial Light and Magic, for the Tenderloin Task Force Floral Fund

**There will be Public Comments on any item before or during discussion of each item.*

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

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FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

THOMAS J. CAHILL HALL OF JUSTICE, 850 BRYANT ST., RM. 505, SAN FRANCISCO, CA 94103-4603 (415) 553-1667 FAX (415) 553-1669

JUN 15 1999

SAN FRANCISCO
PUBLIC LIBRARYJULY 29, 1998CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:00 p.m., in Closed Session.

PERSONNEL MATTER

- a. Employment/Disciplinary Charges against Inspector Gregory L. Ovanessian and Inspector Daniel J. Yawczak

PRESENT: Commissioners Herrera, Chan, Petrillo

ABSENT: Commissioners Norman, Perry

JULY 29, 1998REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:40 p.m., in Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Chan, Petrillo, Perry

DISCUSSION AND VOTE ON WHETHER TO DISCLOSE DISCUSSION AND DISCLOSURE OF ACTION TAKEN IN CLOSED SESSION

The Commission voted not to disclose action taken and discussion held in Closed Session.

APPROVAL OF CONSENT CALENDARRESOLUTION NO. 64-98APPROVAL TO ACCEPT DONATION OF \$500.00 FROM THE INDUSTRIAL LIGHT AND MAGIC, FOR THE TENDERLOIN TASK FORCE FLORAL FUND

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to accept donation of \$500.00 from the Industrial Light and Magic, for the Tenderloin Task Force Floral Fund.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

POLICE COMMISSION ANNOUNCEMENTS

- a. Motion of Calendaring of New Items

None

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

None

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap, OCC, discussed cases closed.

RESOLUTION NO. 65-98AMENDMENT OF ADMINISTRATIVE CODE CHAPTER 2A, ARTICLE IV, SECTIONS 2A.76, 2A.77, AND 2A.78

RESOLVED, that the Police Commission approves amendment of Administrative Code Chapter 2A, Article IV, Sections 2A.76, 2A.77, and 2A.78.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

PUBLIC COMMENTS

Sergio Elman asked for more paratransit taxis.
 Bruce Oka, Chair Paratransit Council, asked for better and more ramp taxis, 75 more.
 Karen Young Simon, Paratransit Committee, asked for more ramp taxis.
 Joe asked for more taxis at peak times.
 Keith Raskin asked for more peak time permits.
 Bob Bagley, Hotel Council President, supports recommendation for more taxis.
 John Roberts, Veterans driver, against more permits but issue peak time only.
 Joyce Lieberman, Mayor's Task Force, asked for more permits.
 Charles Korbell, taxi driver, asked for peak time cabs only and permits be issued gradually.
 Pastor Stevens asked for more cabs.
 James Barrett, driver, asked for 150 cabs, 50 ramp and peak cabs.
 Matsud, driver, asked for more permits.
 Manny Fernandez, driver, asked for 100 peak time permits.
 Unidentified, resident, asked for more cabs.
 Mark Grueberg, United Taxi Worker, asked for more permits for peak time hours.
 Marie Harrison, resident Bayview Hunters Point, asked for more permits.
 Dotty Lameaux, attorney United Taxi Workers, presented Environment Report.
 Freda Edwards asked for more cabs.
 Thomas Lee, for Supervisor Amiano, read a statement and stated support for United Taxi Worker and asked for more permits and 50 ramp taxis. He also suggested that drivers be educated regarding ramp laws.
 Jones asked for more cabs.
 Barry Toronto, driver, discussed concerns.
 Gina Council, Bayview resident, discussed concerns.
 Terry asked for more cabs.
 Gerald Cassidy discussed concerns.
 Unidentified, Bayview Hunters Point, asked for more cabs.
 Ann, driver, no more permits.
 Bev Guzzel asked for more cabs.
 Rua Grafes, cab driver, asked for more cabs but not 400 peak permits.
 John Hunter, Manager Nikko Hotel, supports report and that 300-400 full time cab permits be issued.
 Unidentified, driver, asked for more peak time permits only.
 Pete, General Manager Park 55, asked for more cabs.
 Unidentified, driver, asked for more peak time permits.
 John Handley, General Manager Handley Hotel, support 300-400 more cabs.
 John Marcus, driver, discussed concerns.
 Dolores Pleght, Ingleside resident, asked for more taxis.
 Steward Erickson, driver, discussed concerns.
 Gloria Mumfort, resident, asked for more cabs.
 Irwin Mussart discussed air quality concerns.
 Julius Crane, resident Bernal Heights, discussed concerns.
 Douglas Moss, driver, no more cabs.
 Jeffrey Pollack, Northbeach/Fisherman's Wharf Assn., asked for more cabs and central dispatch.
 Joe Mirrable, Taxi Drivers Coalition, no more permits and only peak time permits be issued.

Ryan Kingston, General Manager Hilton Hotel, asked for more cabs.
 Phil Sterling, driver, no more permits.
 Jeff Collins, restaurant employee, more permits needed.
 Gabe Keans, driver, no more permits.
 Tom Creedan, Fisherman's Wharf Assn., discussed concerns.
 Branne, driver, asked for more permits.
 George England, driver, no more permits.
 Patricia Breslin, Golden Gate Restaurant Assn., asked for more taxis.
 Scott Van Lubin, driver, no more permits.
 Bill Hunter, Ingleside resident, asked for more cabs.
 Don Dillon no more permits.
 Marvin Warren, Polk Street Merchants' Assn., need more permits.
 M.C. Morris, driver DeSoto Cab Co., no more permits and fees need to be raised.
 Ron Matter, resident, more cabs needed.
 Dave Schneider, driver, no more permits.
 Paul Lazereschi need more cabs.
 Gordon Hernandez, driver, no more permits.
 Alexandria asked for more cabs.
 Brad Nesham asked for central dispatch and permits be issued in increments.
 Helen Hobbs asked for more cabs.
 Unidentified no more permits.
 Sandra need more cabs.
 Unidentified no more permits.
 Jolynn Lockley asked for more cabs.
 Unidentified suggested taxi cab zones in neighborhoods.
 Maryann Costello asked for more cabs.
 Keith Sagger asked for more permits.
 Michelle Burns asked for more cabs.
 Unidentified no more permits.
 Ahnid asked for more cabs.
 Lewis Borging, driver, no more permits.
 Mustaf asked for more cabs.
 Tara Houseman no more cabs.
 Kathleen Harrington, VP Golden Gate Restaurant Assoc., asked for more cabs.
 Sahud Mustaf, merchant, asked for more cabs.
 Unidentified no more cabs and asked for central dispatch and peak time only cabs.
 Unidentified, driver, asked for more taxi permits.
 Jaek Track no more permits.
 Michal Rosa, driver, asked for more cabs but issue permits gradually.
 Ralph Jacobsen, driver, no more permits.
 Nancy Smith asked for more permits.
 Theresa Smith, driver, discussed concerns.
 Unidentified, driver, no more permits.
 Supervisor Gavin Newsom asked for support for task force report.

RESOLUTION NO. 66-98

APPROVAL OF TAXICAB MEDALLIONS PURSUANT TO PUBLIC CONVENIENCE & NECESSITY RECOMMENDATION

RESOLVED, that the Police Commission hereby finds, by clear and convincing evidence, that the public convenience and necessity requires the Commission to authorize the issuance of 400 new taxicab medallions. The Commission further finds that of those 400 permits, public convenience and necessity requires the initial issuance of 25 unrestricted permits, 50 ramped taxi permits, and 100 permits subject to peak-time operating conditions. The remaining 225 permits shall be issued at such times and subject to such conditions

as the Commission deems appropriate.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

Thereafter, the meeting was adjourned at 10:00 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING
WEDNESDAY, AUGUST 5, 1998
5:00 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 505
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

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1. Roll Call
2. Public Comment on all matters pertaining to the Closed Session
3. Vote on whether to hold Closed Session and/or assert Attorney/Client Privilege to confer with legal counsel. (San Francisco Administrative Code section 67.11(a).)
4. Closed Session held pursuant to Government Code 54957 and San Francisco Administrative Code section 67.11(b).

PERSONNEL MATTER

- a. Employment/Disciplinary Charges against Inspector Gregory L. Ovanessian and Inspector Daniel J. Yawczak



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO
SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, AUGUST 5, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Discussion and Vote on whether to Disclose Discussion and Disclosure of Action taken in Closed Session
4. Police Commission Announcements
 - a. Motion of Calendaring of New Items
5. Chief's Announcements and Review of Recent Department Events
6. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
7. Discussion and Action re: Administrative Code 2.70-6, Cost Recovery of Police Services at Street Fairs
8. Discussion and Action re: Revocation of Taxicab Permit Medallion of Jote Kejela
9. Public Comments
(Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

**There will be Public Comments on any item before or during discussion of each item.*

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

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SAN FRANCISCO
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The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:00 p.m., in Closed Session.

Government Code 54957
PERSONNEL MATTER

- a. Employment/Disciplinary Charges against Inspector Gregory L. Ovanessian and Inspector Daniel J. Yawczak

PRESENT: Commissioners Chan, Petrillo, Perry
ABSENT: Commissioners Norman, Herrera

AUGUST 5, 1998REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in Regular Meeting.

PRESENT: Commissioners Norman, Chan, Petrillo, Perry
ABSENT: Commissioner Herrera

DISCUSSION AND VOTE ON WHETHER TO DISCLOSE ACTION
TAKEN OR DISCUSSION HELD IN CLOSED SESSION

No discussion in Closed Session.

POLICE COMMISSION ANNOUNCEMENTS

- a. Motion of Calendaring of New Items

No meeting on August 12 & 19, 1998.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT
DEPARTMENT EVENTS

Chief Lau announced pending retirement of Deputy Chief Willett. Commander Santos to be Deputy Chief of Field Operations Bureau; Commander Portoni to FOB; Deputy Chief Holder to Investigations.

Captain Cullop and Chief Lau presented awards to civilians Jason Albertson, Roosevelt Hayes and Samuel Shelton. The Commission thanked them and commended them.

OCC DIRECTOR'S REPORT RE: STAFFING & BUDGET & SUMMARY
OF RECENT EVENTS

Director Dunlap stated that she's attempting to fill present vacancies in the OCC.

DISCUSSION AND ACTION RE: ADMINISTRATIVE CODE 2.70-6,
COST RECOVERY OF POLICE SERVICES AT STREET FAIRS

Lieutenant Don Carlson present cost recovery recommendation to the Commission. Commissioner Petrillo discussed background and fees.

PUBLIC COMMENTS: re: Street Fairs

Jay is against changes and asked matter be put over to the 26th. Andy Harrison discussed concerns regarding increase in costs.

Put over to August 26th.



**DISCUSSION AND ACTION RE: REVOCATION OF TAXICAB PERMIT
MEDALLION OF JOTE KEJELA**

Captain Ehrlich presented recommendation to revoke permit of Jote Kejela.

Chris Collins, Esq., for Kejela requested a delay or continuance. Continuance denied by the Commission.

Motion by Commissioner Petrillo, second by Commissioner Perry to sustain recommendations of Captain Ehrlich. Revoked 4-0.

RESOLUTION NO. 67-98

REVOCATION OF TAXICAB PERMIT MEDALLION OF JOTE KEJELA

RESOLVED, that the Police Commission accepts recommendation of Captain John Ehrlich to revoke the taxicab permit medallion of Jote Kejela.

AYES: Commissioners Norman, Chan, Petrillo, Perry
ABSENT: Commissioner Herrera

**Commissioner Chan left at 7:00 p.m.

PUBLIC COMMENTS

Leah Shalum, Bicycle Coalition, discussed concerns regarding actions of the police department.

Ted Strauser, Bicycle Coalition, discussed concerns regarding actions of police.

Joe Speaker discussed concerns.

Jim Fuke discussed concerns regarding traffic enforcement.

Bennett Hall complained regarding actions of police.

Ken McCarthy discussed concerns regarding actions of police.

John Winston discussed concerns regarding change in policies.

Katherine Roberts discussed concerns regarding actions of police.

David Skinner requested investigation of complaints against police.

Christina Persons suggested more enforcement of red light runners.

Bill Stinder discussed concerns regarding actions of police.

Larry Chin discussed concerns.

Jason Max discussed concerns regarding actions of police.

Sean Brenner discussed concerns regarding police actions against bicyclists.

Ted Candell discussed concerns regarding police actions.

Rene Nercher discussed concerns regarding police actions.

Bruce Speth discussed concerns regarding police actions.

Ted Donnelly discussed concerns regarding traffic in the city.

Unidentified thanked the department.

David Max discussed concerns regarding actions of police.

Unidentified discussed concerns regarding actions of police and Captain Roy Sullivan.

Thereafter, meeting was adjourned in memory of Tom Steel, Esq., at 8:05 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

JUN 15 1999

SAN FRANCISCO
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PROCEDURAL HEARING FOR TAKING OF EVIDENCE BY
COMMISSIONER SIDNEY CHAN IN THE DISCIPLINARY CHARGES
FILED AGAINST OFFICER DAVID RIOS, SUPPORT SERVICES
(FILE NO. C97-191 JWA)

The hearing for taking of evidence in the disciplinary charges filed against Officer David Rios, Support Services, was called at 9:30 a.m.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Officer David Rios appeared in person and was represented by Mr. Sean Connolly, Attorney at Law, POA.

Opening statements were made by Mr. Akins and Mr. Connolly.

The following witnesses appeared for the Department, were sworn and testified:

Sergeant Gerald Golz
Sergeant Howard Weathersby
Officer Michael O'Neill
Lieutenant Richard Reyes

The following exhibit was entered for identification by the Department:

Exhibit No. 1 Copy of General Order 1.05

The following witnesses appeared for the Defense, were sworn and testified:

Officer Sally DeHaven
Mr. Dewayne Tully
Officer Elizabeth Maron

The following exhibits were entered for identification by the Defense:

Exhibit A Copy of CAD Printout, Personnel Scheduling of
Southern Station, 5/27/97 (3 pages)

Exhibit B Copy of memo dated June 1, 1997 from Sgt. Golz
(2 pages)

Exhibit C Copy of Department General Order 2.01

The hearing was then adjourned at 3:45 p.m., to be continued to Friday, August 7, 1998.

Recess taken during the hearing of Officer Rios:

11:00 a.m. to 11:10 a.m.
12:00 p.m. to 1:20 p.m.
3:00 p.m. to 3:10 p.m.

(The entire proceedings were taken in shorthand form by Mr. Jesse James, CSR.)

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

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AUGUST 7, 1998

SPECIAL MEETING

PROCEDURAL HEARING FOR TAKING OF EVIDENCE BY
COMMISSIONER SIDNEY CHAN IN THE DISCIPLINARY CHARGES
FILED AGAINST OFFICER DAVID RIOS, SUPPORT SERVICES
(FILE NO. C97-191 JWA)

The hearing for taking of evidence in the disciplinary charges filed against Officer David Rios, Support Services, was called at 9:40 a.m, it having been continued from Thursday, August 6, 1998.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Officer David Rios appeared in person and was represented by Mr. Sean Connolly, Attorney at Law, POA.

The following witnesses appeared for the Defense, were sworn and testified:

Officer Ian Furminger
Officer David Rios

The hearing was then adjourned at 10:50 a.m.

(The entire proceedings were taken in shorthand form by Mr. Jesse James, CSR.)

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION





The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

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CALENDAR OF PROCEEDINGS
POLICE COMMISSION MEETING

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

There will be no Police Commission Regular Meetings on *Wednesdays, August 12 and 19, 1998*. The next Police Commission Regular Meeting will be on *Wednesday, August 26, 1998*, at the Thomas J. Cahill Hall of Justice, 850 Bryant Street, Room 551, San Francisco, 5:30 p.m.

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AUGUST 24, 1998

SPECIAL MEETING

PROCEDURAL HEARING FOR TAKING OF EVIDENCE BY
COMMISSIONER DENNIS HERRERA IN THE DISCIPLINARY
CHARGES FILED AGAINST OFFICER ROBERT A. TAYAC, SUPPORT
SERVICES (FILE NO. C96-179[331] JWA)

The hearing for taking of evidence in the disciplinary charges filed against Officer Robert A. Tayac, Support Services, was called at 9:10 a.m, it having been continued from May 19, 1998.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Officer Robert Tayac appeared in person and was represented by Mr. John Prentice, Attorney at Law.

The following witness appeared for the Defense, was sworn and testified:

Officer Robert Tayac

The hearing was then adjourned.

Recess taken during the hearing of Officer Tayac:

10:15 a.m. to 10:25 a.m.

(The entire proceedings were taken in shorthand form by Mr. Dave Davenport, CSR.)

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION





The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING
WEDNESDAY, AUGUST 26, 1998
5:00 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 505
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT MANUEL BARRETTA
Secretary

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1. Roll Call
2. Public Comment on all matters pertaining to the Closed Session
3. Vote on whether to hold Closed Session and/or assert Attorney/Client Privilege to confer with legal counsel. (San Francisco Administrative Code section 67.11(a).)
4. Closed Session held pursuant to Government Code 54956.9 and San Francisco Administrative Code section 67.11(b).

CONFERENCE WITH LEGAL COUNSEL - Existing Litigations

- a. William Charles Hankston, Sr., v. CCSF, et al, USDC No. C96-2330
- b. Sue Long Soon v. CCSF, Superior Court No. 987-398



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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, AUGUST 26, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Discussion and Vote on whether to Disclose Discussion and Disclosure of Action taken in Closed Session
4. Approval of Consent Calendar
5. Assignment of Commissioner and Setting of Date for Taking of Evidence on Additional Charges filed against Officer Lawrence F. McDevitt, Park (File No. C98-198 JWA)
6. Police Commission Announcements
 - a. Motion of Calendaring of New Items
7. Chief's Announcements and Review of Recent Department Events
8. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
9. Presentation of OCC Second Quarter 1998 Report and Statistical Report, May, 1998
10. Request of the Chief of Police for Authorization to Enter into a Purchase Agreement for the Property located at 301 Eddy Street for Proposed Tenderloin Task Force Facility
11. Discussion and Action re: Revocation of Taxicab Permit Medallion of Mr. Maurice Ramsay
12. Discussion and Action re: Administrative Code 2.70-6, Cost Recovery of Police Services at Street Fairs
13. Public Comments
(Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)





The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, AUGUST 26, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

CONSENT CALENDAR

1. Recommendation of the City Attorney for Settlement of the following claims:
 - a. William Charles Hankston, Sr., v. CCSF, et al. USDC No. C96-2330
 - b. Sue Long Soon v. CCSF, Superior Court No. 987-398
2. Request of the Chief of Police for Approval to Accept a donation \$1,000.00 from the Industrial Light and Magic, for the Tenderloin Task Force Floral Fund
3. Request of the Chief of Police for Approval to Accept Computer Equipment: One Canon Powershot 350 digital camera; one CanoScan 300 color scanner; one Canon BJC-4550 color bubble jet printer, valued at approximately \$1,500.00, from the National Center for Missing and Exploited Children (NCMEC) for use of the Juvenile Division
4. Request of Sergeant Rachel Kilshaw to Accept a Gift of a book, "Mexican Churches," from Mr. Louis Varela Nevaer
5. Request of the Chief of Police for Approval of Report of Expenditures from the Chief's Contingent Fund for the Months of May 1998 through July 1998

**There will be Public Comments on any item before or during discussion of each item.*

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

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JUN 15 1999

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AUGUST 26, 1998

CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:00 p.m., in Closed Session.

Government Code 54956.9(a)
CONFERENCE WITH LEGAL COUNSEL - Existing Litigation

- a. William Charles Hankston, Sr., v. CCSF, et al., USDC No. C96-2330
- b. Sue Long Soon v. CCSF, Superior Court No. 987-398

PRESENT: Commissioners Herrera, Chan, Petrillo, Perry
ABSENT: Commissioner Norman

AUGUST 26, 1998

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Chan, Petrillo, Perry

DISCUSSION AND VOTE ON WHETHER TO DISCLOSE DISCUSSION
AND DISCLOSURE OF ACTION TAKEN IN CLOSED SESSION

The Police Commission voted not to disclose Closed Session discussion. Motion by Commissioner Perry, second by Commissioner Herrera. 5-0.

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 68-98

WILLIAM CHARLES HANKSTON, SR. v. CCSF, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of "Hankston v. City and County of San Francisco" in United District Court No. C96-2330, be, and the same is hereby approved.

Date of Incident: September 6, 1995

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

RESOLUTION NO. 69-98

SUE LONG SOON v. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of "Sue Long Soon v. City and County of San Francisco" in San Francisco Superior Court No. 987-398, be, and the same is hereby approved.

Date of Incident: June 10, 1996

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

RESOLUTION NO. 70-98

APPROVAL TO ACCEPT A DONATION OF \$1,000.00 FROM THE
INDUSTRIAL LIGHT AND MAGIC, FOR THE TENDERLOIN TASK
FORCE FLORAL FUND

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to accept \$1,000.00 from the Industrial Light and Magic, for the

Tenderloin Task Force Floral Fund.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

RESOLUTION NO. 71-98

APPROVAL TO ACCEPT COMPUTER EQUIPMENT: TWO CANON POWERSHOT 350 DIGITAL CAMERA, TWO CANOSCAN 300 COLOR SCANNER, TWO CANON BJC-4550 COLOR BUBBLE JET PRINTER, VALUED AT APPROXIMATELY \$1,500.00, FROM THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN (NCMEC) FOR USE OF THE JUVENILE DIVISION

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to accept donation of computer equipment: two Canon Powershot 350 digital camera, two CanoScan 300 color scanner, two Canon BJC-4550 color bubble jet printer, valued at approximately \$1,500.00, from the National Center for Missing and Exploited Children (NCMEC) for use of the Juvenile Division.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

RESOLUTION NO. 72-98

APPROVAL TO ACCEPT A GIFT OF A BOOK, "MEXICAN CHURCHES," FROM MR. LOUIS VARELA NEVAER TO SERGEANT RACHEL KILSHAW

RESOLVED, that the Police Commission hereby approves request of Sergeant Rachel Kilshaw to accept a gift of a book, "Mexican Churches," from Mr. Louis Varela Nevaer.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

RESOLUTION NO. 73-98

APPROVAL OF REPORT OF EXPENDITURES FROM THE CHIEF'S CONTINGENT FUND FOR THE MONTHS OF MAY 1998 THROUGH JULY 1998

RESOLVED, that the Police Commission hereby approves Report of Expenditures from the Chief's Contingent Fund for the months of May 1998 through July 1998.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

RESOLUTION NO. 74-98

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR TAKING OF EVIDENCE ON ADDITIONAL DISCIPLINARY CHARGES FILED AGAINST OFFICER LAWRENCE F. McDEVITT, PARK STATION (FILE NO. C98-198 JWA)

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence on additional disciplinary charges filed against Officer Lawrence F. McDevitt, Park Station, was called it having been set for this date; and

WHEREAS, Commissioner Edward Petrillo is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer McDevitt; therefore be it

RESOLVED, that Commissioner Petrillo is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Lawrence F. McDevitt, and is to be set at a later date.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

POLICE COMMISSION ANNOUNCEMENTS

a. **Motion of Calendaring of New Items**

Commissioner Norman and Commissioner Petrillo will be out of town on September 2nd. There will be no meeting on September 9th and district meeting on September 30th in the Northern District.

Commissioner Petrillo thanked everyone regarding calls on fire at the restaurant. Commissioner Petrillo also discussed article in the S.F. Independent regarding the Commission and Taxi issues.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Assistant Chief Sanders for Chief Lau. Chief Sanders stated that the department is preparing and ready for weapons of mass destruction.

Commissioner Norman asked Chief Sanders for report on gang activity.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

PRESENTATION OF OCC SECOND QUARTER 1998 REPORT AND STATISTICAL REPORT, MAY, 1998

Director Dunlap discussed the Human Rights violations Report and presented statistics.

RESOLUTION NO. 75-98

AUTHORIZATION FOR THE CHIEF OF POLICE TO ENTER INTO A PURCHASE AGREEMENT FOR THE PROPERTY LOCATED AT 301 EDDY STREET FOR THE PROPOSED TENDERLOIN TASK FORCE FACILITY

RESOLVED, that the Police Commission hereby approves authorization for the Chief of Police to enter into a purchase agreement for the property located at 301 Eddy Street for the proposed Tenderloin Task Force Facility.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

RESOLUTION NO. 76-98

REVOCATION OF TAXICAB PERMIT MEDALLION OF MAURICE RAMSEY

RESOLVED, that the Police Commission accepts recommendation of Captain John Ehrlich to revoke the taxicab permit medallion of Maurice Ramsey.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

RESOLUTION NO. 77-98

APPROVAL TO AMEND CHAPTER 2, SECTION 2-70.6 OF THE SAN FRANCISCO ADMINISTRATIVE CODE TO PROVIDE THAT THE SAN FRANCISCO POLICE DEPARTMENT RECOVER THE FULL COST OF SERVICES PROVIDED TO A STREET FAIR

RESOLVED, that the Police Commission hereby approves to amend Chapter 2, Section 2-70.6 of the San Francisco Administrative Code to provide that the San Francisco Police Department recover the full cost of services provided to a street fair.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

PUBLIC COMMENTS re: Street Fair Cost

Pablo Haizinge against change.
Marsha Garland against change.
Unidentified discussed concerns
Dennis Beckman, Union Street Association, against change.
Karen Maginnis for change.
Patricia Bollen, Cow Hollow Association, for change.

PUBLIC COMMENTS

Ron McLashen, Opera Plaza Association, commended Northern officers.
Patricia Bollin discussed street repairs, Divisadero Street cleanup program
Mark Grueberg, United Taxi Workers, asked that matter regarding
Corporate Taxi Permits be calendared.

Thereafter, the meeting was adjourned at 7:20 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, SEPTEMBER 2, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Approval of Consent Calendar
4. Police Commission Announcements
 - a. Motion of Calendaring of New Items
5. Chief's Announcements and Review of Recent Department Events
6. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
7. Request of the Chief of Police for Approval to Accept Gift of a Vessel, a Textron Marine & Land System 47-foot motor-life vessel, from the United States Coast Guard, valued at over \$5,000.00
8. Request of the Chief of Police for Authorization to Execute a Hold Harmless Agreement with the United States Coast Guard for a License to Dock a Vessel
9. Public Comments
(Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, SEPTEMBER 2, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PENNY
Commissioner

LT MANGEL BARRETTA
Secretary

CONSENT CALENDAR

1. Request of Officer Brett Elmore to Accept Gift of Two Giants Baseball Tickets from Mr. Miguel Feijoo
2. Request of the Chief of Police to Accept Donation of \$50.00 from Ms. Dorothy Cooper for the Friends of Police Fund

**There will be Public Comments on any item before or during discussion of each item.*

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 57 of the San Francisco Administrative Code)

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Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

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JUN 15 1999

SAN FRANCISCO
PUBLIC LIBRARYSEPTEMBER 2, 1998REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in a Regular Meeting.

PRESENT: Commissioner Herrera, Chan, Perry

ABSENT: Commissioner Norman, Petrillo

APPROVAL OF CONSENT CALENDARRESOLUTION NO. 78-98APPROVAL OF REQUEST OF OFFICER BRETT ELMORE TO ACCEPT GIFT OF TWO GIANTS BASEBALL TICKETS FROM MR. MIGUEL FEIJOO

RESOLVED. that the Police Commission hereby approves request of Officer Brett Elmore to accept gift of two Giants baseball tickets from Mr. Miguel Feijoo.

AYES: Commissioners Herrera, Chan, Perry

ABSENT: Commissioners Norman, Petrillo

RESOLUTION NO. 79-98APPROVAL TO ACCEPT DONATION OF \$50.00 FROM MS. DOROTHY COOPER FOR THE FRIENDS OF POLICE FUND

RESOLVED. that the Police Commission hereby approves request of the Chief of Police to accept donation of \$50.00 from Ms. Dorothy Cooper for the Friends of Police Fund.

AYES: Commissioners Herrera, Chan, Perry

ABSENT: Commissioners Norman, Petrillo

POLICE COMMISSION ANNOUNCEMENTSa. Motion of Calendaring of New Items

The Commission requested that FTO Program be calendared for discussion and action for September 16th.

The Commission congratulates Commander Fong.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau discussed upcoming caucus of 200 youths, sponsored by the Police Department.

Lieutenant Dirk Beijen briefed the Commission on recent trip to Amsterdam.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap congratulates Commander Fong.
No OCC report.

RESOLUTION NO. 80-98APPROVAL TO ACCEPT GIFT OF A VESSEL, A TEXTRON MARINE & LAND SYSTEM 47-FOOT MOTOR-LIFE VESSEL, FROM THE UNITED

STATES COAST GUARD, VALUED AT OVER \$5,000.00

WHEREAS, the United States Coast Guard has offered to donate to the San Francisco Police Department a vessel for use in providing law enforcement services in San Francisco Bay; and

WHEREAS, value of the 47-foot motor-life vessel exceeds Five Thousand Dollars (\$5,000.00); now therefore be it

RESOLVED, that the Police Commission urges the Board of Supervisors of the City and County of San Francisco to adopt a resolution authorizing the Chief of Police to accept the gift of a Textron Marine and Land Systems motor-life vessel ID#MLB47203 from the United States Coast Guard.

AYES: Commissioners Herrera, Chan, Perry
ABSENT: Commissioners Norman, Petrillo

RESOLUTION NO. 81-98

AUTHORIZATION TO EXECUTE HOLD HARMLESS AGREEMENT WITH THE UNITED STATES COAST GUARD FOR A LICENSE TO DOCK VESSEL

WHEREAS, the United States Coast Guard has offered the San Francisco Police Department a license to dock a vessel at its Treasure Island property; and

WHEREAS, the license will enable the San Francisco Police Department to dock a vessel without cost; and

WHEREAS, the Coast Guard required the execution of a hold harmless agreement prior to obtaining the license; therefore be it

RESOLVED, that the Police Commission urges the Board of Supervisors to adopt a resolution authorizing the Chief of Police to execute a hold harmless agreement with the Coast Guard for a license to dock a vessel.

AYES: Commissioners Herrera, Chan, Perry
ABSENT: Commissioners Norman, Petrillo

PUBLIC COMMENTS

Linda Bray discussed complaints regarding no police report.
Ron McLashen discussed use of steroids.
Unidentified commended Chief Lau and members of the department.

Thereafter, the meeting was adjourned.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

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CALENDAR OF PROCEEDINGS
POLICE COMMISSION MEETING

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT MANUEL BARRETTA
Secretary

There will be no Police Commission Regular Meeting on *Wednesday, September 9, 1998*. The next Police Commission Regular Meeting will be on Wednesday, September 16, 1998, at the Thomas J. Cahill Hall of Justice, 850 Bryant Street, Room 551, San Francisco, 5:30 p.m.



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, SEPTEMBER 16, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
 - a. Motion of Calendaring of New Items
4. Chief's Announcements and Review of Recent Department Events
5. Presentation of Award Plaques to Southern Station and Tenderloin Task Force from the Federal Protective Service
6. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
7. Discussion and Action re: Modification of Department General Order 1.02 regarding District Boundary Between Bayview and Ingleside Districts
8. Public Comments
(Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

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**There will be Public Comments on any item before or during discussion of each item.*

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, SEPTEMBER 16, 1998
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT MANUEL BARRETTA
Secretary

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1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
 - a. Motion of Calendaring of New Items
4. Chief's Announcements and Review of Recent Department Events
5. Presentation of Award Plaques to Southern Station and Tenderloin Task Force from the Federal Protective Service
6. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
7. Discussion and Action re: Modification of Department General Order 1.02 regarding District Boundary Between Bayview and Ingleside Districts
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(Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

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SEPTEMBER 16, 1998

REGULAR MEETING

JUN 15 1999

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The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:40 p.m., in Regular Meeting.

PRESENT: Commissioner Norman, Herrera, Chan, Perry

ABSENT: Commissioner Petrillo

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

The Commissioner requested that the Gang Task Force Report be presented when Commissioner Norman is present.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Deputy Chief Welch for Chief Lau. Deferred to item no. 5.

PRESENTATION OF AWARD PLAQUES TO SOUTHERN STATION AND TENDERLOIN TASK FORCE FROM THE FEDERAL PROTECTIVE SERVICE

The Federal Protective Service presented plaques to Southern Station and Tenderloin Task Force. Captain Goldberg accepted for the Tenderloin Task Force and Lieutenant Minasian accepted for Southern Station.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap stated that case are moving along as well as interviews for Special Assistant. She also stated that the office is presently recruited for Chief Investigator position.

RESOLUTION NO. 82-98

APPROVAL OF MODIFICATION OF DEPARTMENT GENERAL ORDER 1.02 REGARDING DISTRICT BOUNDARY BETWEEN BAYVIEW AND INGLESIDE DISTRICTS

RESOLVED, that the Police Commission hereby adopts final proposal for modification of Department General Order 1.02, "District Boundaries," regarding district boundary between Bayview and Ingleside Districts.

AYES: Commissioners Norman, Herrera, Chan, Perry
ABSENT: Commissioner Petrillo

PUBLIC COMMENTS

Ron McLashen discussed concerns regarding persons on probation.

Diane Reid, President Opera Plaza Residents Association, thanked officers of Northern Station, Captain Cullop, and Commander Porton for attending recent meeting.

Thereafter, the meeting was adjourned at 6:05 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING
WEDNESDAY, SEPTEMBER 23, 1998
4:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 505
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

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1. Roll Call
2. Public Comment on all matters pertaining to the Closed Session
3. Vote on whether to hold Closed Session and/or assert Attorney/Client Privilege to confer with legal counsel. (San Francisco Administrative Code section 67.11(a).)
4. Closed Session held pursuant to Government Code 54957 and San Francisco Administrative Code section 67.11(b).

PUBLIC EMPLOYEE EVALUATION

- a. Chief of Police Fred H. Lau





The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, SEPTEMBER 23, 1998
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
 - a. Motion of Calendaring of New Items
4. Assignment of Commissioner and Setting of Date for Taking of Evidence on Disciplinary Charges filed against Officer Alejandro G. Verzosa, Support Services (File No. C98-227 JWA)
5. Chief's Announcements and Review of Recent Department Events
6. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
7. Discussion and Action regarding Request of the Chief of Police to Withdraw Disciplinary Charges filed against Sergeant Robert G. Hartmann, Support Services, (File No. C96-152[305]JWA), and Officer Nadim P. Totah, Jr., EEO, (File Nos. C96-153 JWA & C56-093 JWA)
8. Public Comments
(Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

**There will be Public Comments on any item before or during discussion of each item.*

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JUN 15 1999

SAN FRANCISCO
PUBLIC LIBRARYSEPTEMBER 23, 1998CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 4:30 p.m., in Closed Session:

Government Code 54957

PUBLIC EMPLOYEE EVALUATION

a. Chief of Police Fred H. Lau

PRESENT: Commissioners Herrera, Chan, Perry

ABSENT: Commissioners Norman, Petrillo

SEPTEMBER 23, 1998REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Chan, Perry

ABSENT: Commissioner Petrillo

DISCUSSION AND VOTE ON WHETHER TO DISCLOSE ACTION
TAKEN OR DISCUSSION HELD IN CLOSED SESSION

The Commission voted not to disclose discussion held in Closed Session. Motion by Commissioner Perry, second by Commission Chan.

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Discussion and Action regarding FTO Program to be calendared October 7th. District Meeting next week.

RESOLUTION NO. 83-98ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR
TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED
AGAINST OFFICER ALEJANDRO G. VERZOSA, SUPPORT SERVICES
(FILE NO. C98-227 JWA)

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in the disciplinary charges filed against Officer Alejandro G. Verzosa, Support Service Division, was called it having been set for this date; and

WHEREAS, Commissioner Edward Petrillo is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Verzosa; therefore be it

RESOLVED, that Commissioner Petrillo is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Alejandro G. Verzosa, and is to be set at a later date.

AYES: Commissioners Norman, Herrera, Chan, Perry
ABSENT: Commissioner Petrillo

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT
DEPARTMENT EVENTS



Deputy Chief Welch for Chief Lau, nothing to report.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap reported that they have a Special Assistant for Policy and Outreach. Her name is River Abayjay and will start on October 22nd. Director Dunlap also stated that they are still searching for Chief Investigator.

RESOLUTION NO. 84-98

WITHDRAWAL OF DISCIPLINARY CHARGES FILED AGAINST SERGEANT ROBERT G. HARTMANN, SUPPORT SERVICES (FILE NO. C96-152[305] JWA), AND OFFICER NADIM P. TOTAH, JR., EEO (FILE NOS. C96-153 JWA & C56-093 JWA)

WHEREAS, Chief of Police Fred H. Lau requests that the disciplinary charges filed against Sergeant Robert G. Hartmann, Star No. 39, Support Services, and Police Officer Nadim P. Totah, Jr., Star No. 1058, EEO, be withdrawn and that it will be handled administratively; therefore be it

RESOLVED, that the disciplinary charges filed against Sergeant Robert G. Hartmann and Officer Nadim P. Totah, Jr., be withdrawn and taken off calendar.

AYES: Commissioners Norman, Herrera, Chan, Perry
ABSENT: Commissioner Petrillo

PUBLIC COMMENTS

Unidentified, Human Rights Solidarity Commission, discussed concerns regarding pepper spray.

Mathew Gardena discussed concerns regarding pepper spray.

John discussed concerns regarding pepper spray.

Jo Heshman invited the Commission and OCC to a meeting to discuss concerns and use of pepper spray. She suggested November 17, 18, or 19th for the meeting.

Jeremy Graham discussed concerns regarding actions of Commission.

Armenito discussed concerns regarding pepper spray.

Forrest Schmidt discussed concerns regarding pepper spray.

Daniel Paez discussed concerns regarding Sheila Detoy matter.

Van Jones, Bay Area Police Watch, discussed concerns regarding pepper spray and Mark Garcia matter.

Daniel Garcia discussed concerns regarding pepper spray.

Deandre, October 22nd Coalition, discussed concerns regarding pepper spray.

Matthew, Berkeley Cop Watch, discussed concerns regarding Mark Garcia case, pepper spray and Sheila Detoy matter.

Sharon Martinez discussed concerns regarding officer involved shootings and the Mark Garcia matter.

Thereafter, the meeting was adjourned at 6:40 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY, SEPTEMBER 30, 1998
6:00 p.m.

NORTHERN DISTRICT
Ella Hill Hutch Community Center
McAllister and Webster Streets
San Francisco

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

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1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
 - a. Motion of Calendaring of New Items
4. Chief's Announcements and Review of Recent Department Events
5. OCC Director's Report re: Staffing, Budget and Summary of Recent Events
6. Captain Walter Cullop, Commanding Officer of Northern Station, to address the Commission on Police Activities in the Northern District
7. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)

* There will be Public Comments on any item before or during discussion of each item.

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Captain Walter Cullop and all the officers at Northern Station

Invite you to the Northern District meeting of the Police
Commission

September 30, 1998 at 6:00



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SEP 30 1998

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It will be held at the
Ella Hill Hutch Community Center
McAllister and Webster
Parking is available in the lot of the African
American Cultural Center
(Fulton between Buchanan and Webster)

Government of
the State of
California

Department of
Public Safety



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THE STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF MOTOR VEHICLES
SAN FRANCISCO, CALIFORNIA

SEPTEMBER 30, 1998REGULAR MEETING

The Police Commission of the City and County of San Francisco met in the Northern District, Ella Hill Hutch Community Center, McAllister and Webster Streets, San Francisco, at 6:05 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Perry
 ABSENT: Commissioners Chan, Petrillo

POLICE COMMISSION ANNOUNCEMENTSa. Motion of Calendaring of New Items

Commissioner Norman welcomed the audience and the Commissioners introduced themselves.

Director Dunlap, OCC, introduced herself and Assistant Chief Sanders welcomed the audience and introduced the Command Staff and City Attorney Lori Giorgi.

Commissioner Herrera requested FTO Program be calendared for the meeting of October 5th.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Assistant Chief Sanders made the presentation to Ms. Kimberly Brown. Chief Sanders also announced the end of the Consent Decree on Friday, October 2nd.

OCC DIRECTOR'S REPORT RE: STAFFING, BUDGET, AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap described duties of the OCC and introduced Special Projects and Outreach Director River Ginchild-Abeje. Ms. Dunlap also stated that OCC has closed 95 cases in September.

CAPTAIN WALTER CULLOP, COMMANDING OFFICER OF NORTHERN STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE NORTHERN DISTRICT

Captain Cullopp welcomed the Command Staff and audience. He presented statistics and discussed graffiti and problem areas in the Northern.

Sgt. Mary Dunnigan discussed code enforcement.

Sgt. Marty Lalor discussed street crimes.

PUBLIC COMMENTS

Betty Evans discussed concerns about police brutality.

Rajah Raheen discussed concerns regarding youth problems.

Howard Smith discussed complaints regarding actions of police.

Joann Miski discussed concerns

Jan Nelson commended Captain Cullopp.

Lefty Gordon, Director Ella Hill Hutch Center, requested the re-establishment of the Community Relations Unit and presented goals and suggestions.

Patricia Baugley, President Cow Hollow and Marina Merchants, commended Captain Cullopp.

Lucy, President Tenants Assn. Friendship Village, commended Captain Cullopp and discussed drug problems, gambling and requested more walking police.

Maria Perry, resident, commended Captain Cullopp.

Patricia Workup, Haight Street Merchants Association, commended



Captain Cullop and discussed drug dealers in area of Buchanan and Hayes.

Barbara Winger, resident, commended Captain Cullop and members of the Northern Station.

Randy Coleman, resident, commended Captain Cullop.

William Bauman discussed concerns regarding actions of police.

Judy Edmond commended Captain Cullop and asked for more training for officers regarding community policing.

Michael Paton commended Captain Cullop and asked for more resources for police to combat drugs.

Parker thanked Captain Cullop.

Thereafter, the meeting was adjourned at 8:20 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION





The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, OCTOBER 7, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Approval of Consent Calendar
4. Police Commission Announcements
 - a. Motion of Calendaring of New Items
5. Chief's Announcements and Review of Recent Department Events
6. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
7. Request of the Chief of Police for Approval of Amendment to San Francisco Administrative Code Section 16.6-47.1 Authorizing Police Department Membership in Specified Organizations
8. Discussion and Action regarding Revised General Order 3.13, "Field Training Program"
9. Public Comments
(Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, OCTOBER 7, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

CONSENT CALENDAR

1. Request of the Chief of Police for approval of Taxicab Permits for the following individuals:

Joseph Breall
William Tickle

Nasir Durani
Stanley Tulkoff

Stephen Randall

And Ramped Taxicab Permit for Abulkerim Abdulrahman

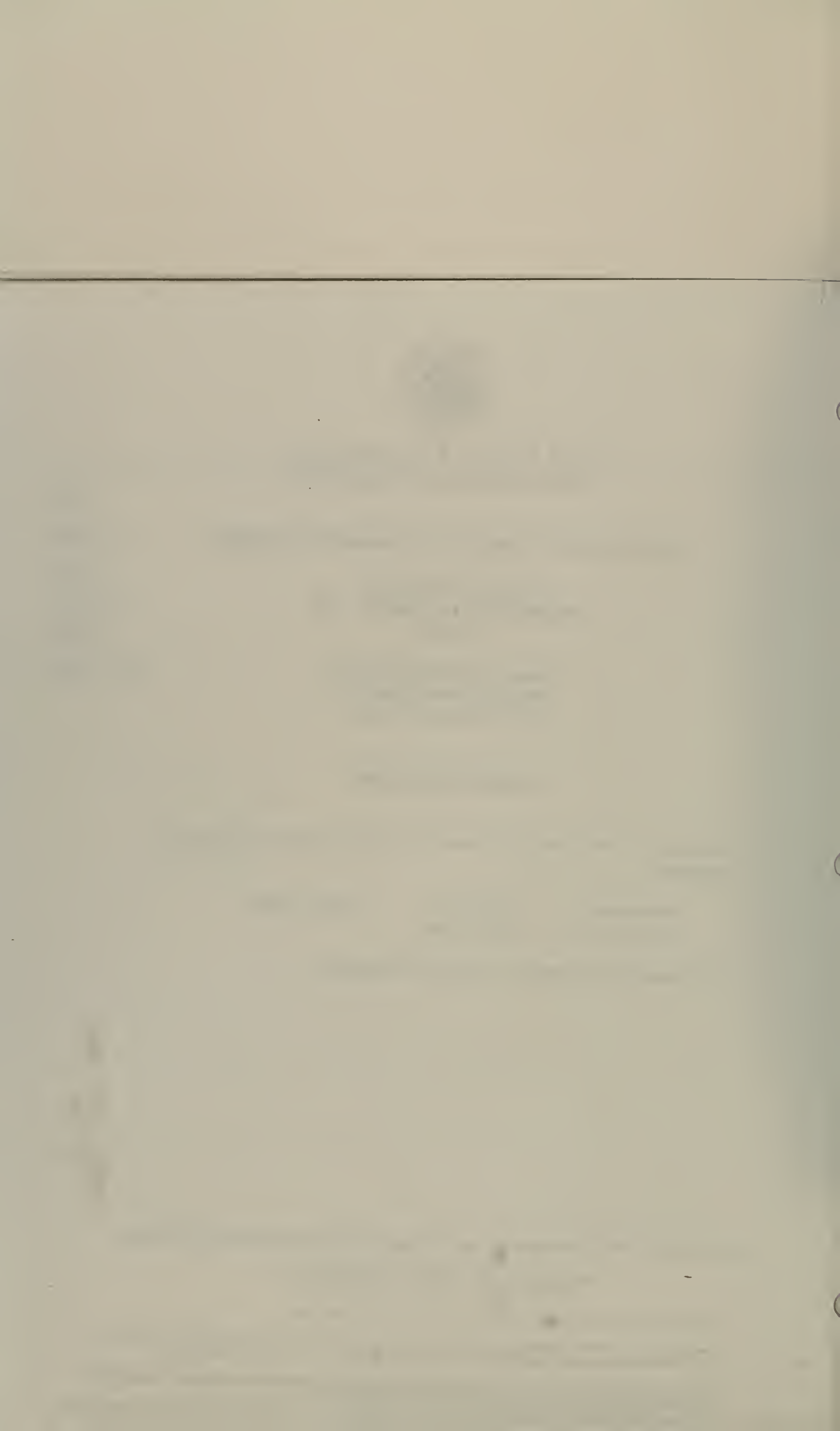
**There will be Public Comments on any item before or during discussion of each item.*

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

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JUN 15 1999

^{7?}
OCTOBER 8, 1998REGULAR MEETINGSAN FRANCISCO
PUBLIC LIBRARY

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:35 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Perry
ABSENT: Commissioners Chan, Petrillo

APPROVAL OF CONSENT CALENDARRESOLUTION NO. 85-98APPROVAL OF TAXICAB OWNER'S PERMITS

WHEREAS, the Police Commission, on September 4, 1996, as per Resolution 151-96, declared that Public Convenience & Necessity requires the issuance of 100 additional taxicab permits; therefore be it

RESOLVED, that the following individuals, based on their applications and the San Francisco Permit Bureau certifications, are qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and are hereby granted to:

Joseph Breall	Nasir Durani	Stephen Randall
William Tickle	Stanley Tulkoff	

APPROVAL OF RAMPED TAXICAB OWNER'S PERMITS

WHEREAS, the Police Commission, on September 4, 1996, as per Resolution 151-96, declared that Public Convenience & Necessity requires the issuance of twenty (20) additional ramped taxicab permits; therefore be it

RESOLVED, that the following named individual, based on his application and the San Francisco Permit Bureau certifications, are qualified to hold a motor vehicle for hire permit, that said ramped taxicab owner permits shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and are hereby granted to Abulkerim Abdulrahman.

AYES:	Commissioners Norman, Herrera, Perry
ABSENT:	Commissioners Chan, Petrillo

POLICE COMMISSION ANNOUNCEMENTSa. Motion of Calendaring of New Items

Commissioner Herrera will be out of town from November 14th through the 30th. Commissioner Norman will be out of town from October 14th through the 21st.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau discussed the end of the Consent Decree on October 2nd. The Chief also discussed the Family Day Picnic.

The Chief also briefed the Commission on officer-involved shooting.

The Chief further discussed that a new recruit class at the Academy and stated that the Q35 list will be posted around October 23rd.



OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap commends the Department in the ending of the Consent Decree. She also stated that they are interviewing for Chief Investigator.

RESOLUTION NO. 86-98

APPROVAL OF AMENDMENT TO SAN FRANCISCO ADMINISTRATIVE CODE SECTION 16.6-47.1 AUTHORIZING POLICE DEPARTMENT MEMBERSHIP IN SPECIFIED ORGANIZATIONS

WHEREAS, the San Francisco Police Department wishes to enhance a wide range of its member's skills in the performance of law enforcement responsibilities; and

WHEREAS, membership in law enforcement-related scientific, investigative, professional associations, and organizations permits the Department to maintain and to improve member performance; now therefore be it

RESOLVED, that the Police Commission requests the Mayor to urge the Board of Supervisors to approve the attached proposed ordinance which amends Administrative Code Section 16.6-47.1 by adding two (2) organizations to the list of authorized memberships for the San Francisco Police Department.

AYES: Commissioners Norman, Herrera, Perry
ABSENT: Commissioners Chan, Petrillo

RESOLUTION NO. 87-98

ADOPTION OF REVISED GENERAL ORDER 3.13, "FIELD TRAINING PROGRAM"

RESOLVED, that the Police Commission hereby adopts revised General Order 3.13, "Field Training Program."

AYES: Commissioners Norman, Herrera, Perry
ABSENT: Commissioners Chan, Petrillo

PUBLIC COMMENTS

None.

Thereafter, the meeting was adjourned at 5:55 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION





The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, OCTOBER 14, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

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OCT 13 1998

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PUBLIC LIBRARY

1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
 - a. Motion of Calendaring of New Items
4. Chief's Announcements and Review of Recent Department Events
5. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
6. Public Comments
(Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)
7. Hearing and Disposition on Disciplinary Charges filed against Inspector William C. Vince, Juvenile (File No. C98-079 JWA)

**There will be Public Comments on any item before or during discussion of each item.*

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JUN 15 1999

OCTOBER 14, 1998

REGULAR MEETING

SAN FRANCISCO
PUBLIC LIBRARY

The Police Commission of the city and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Petrillo, Perry
ABSENT: Commissioner Norman

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

None.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

None.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

None.

PUBLIC COMMENTS

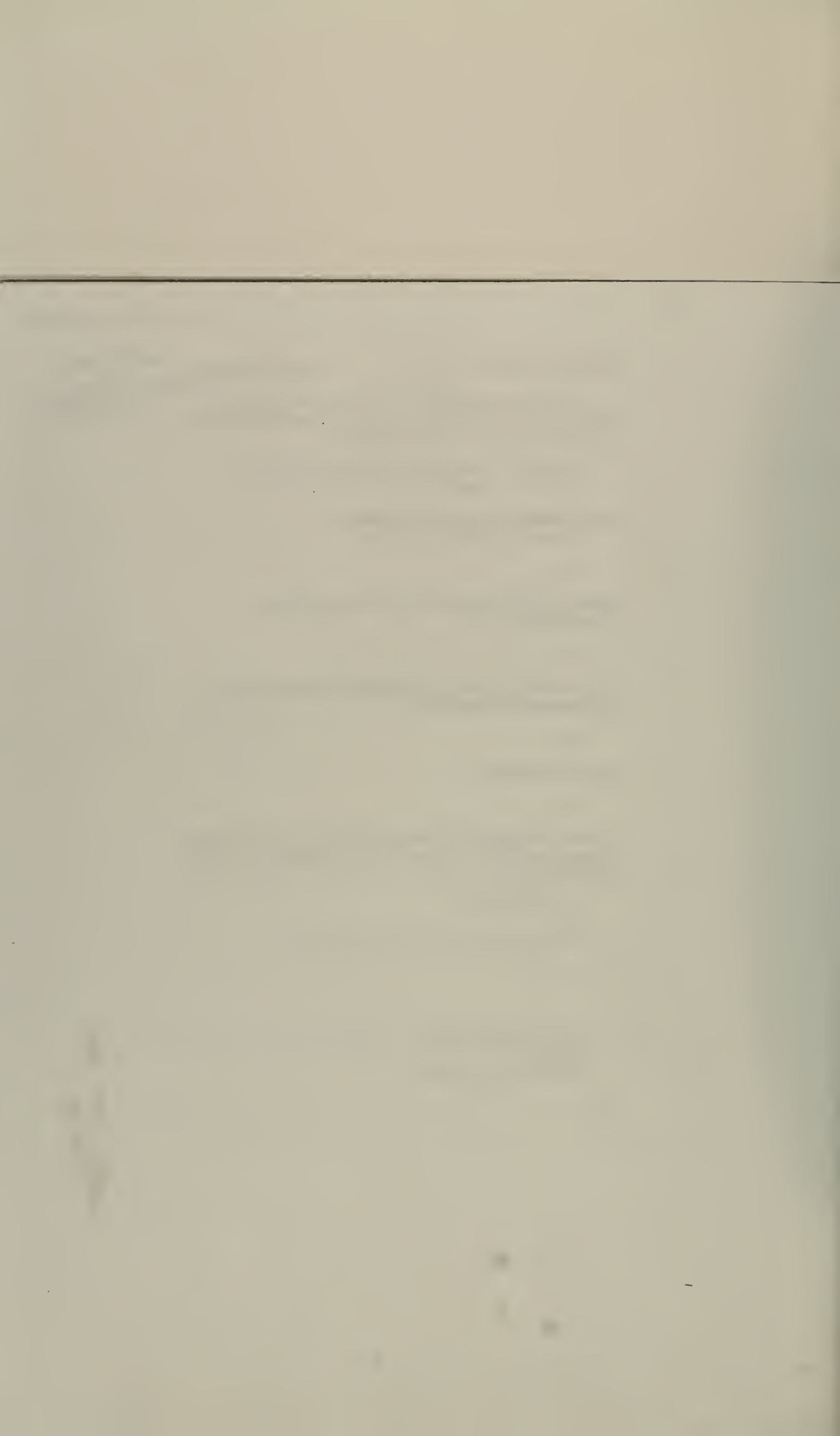
None.

HEARING AND DISPOSITION ON DISCIPLINARY CHARGES FILED AGAINST INSPECTOR WILLIAM C. VINCE, JUVENILE (FILE NO. C98-079 JWA)

Put over to 10/21/99.

Thereafter, the meeting was adjourned at 5:35 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION





The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, OCTOBER 21, 1998
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

121/98

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OCT 21 1998

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1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
 - a. Motion of Calendaring of New Items
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7. Hearing and Disposition on Disciplinary Charges filed against Inspector William C. Vince, Juvenile (File No. C98-079 JWA)

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OCTOBER 21, 1998

REGULAR MEETING

JUN 15 1999

SAN FRANCISCO
PUBLIC LIBRARY

The Police Commission of the city and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Petrillo, Perry
ABSENT: Commissioner Norman

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

None.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau stated that Q35 test results will be released Friday, October 23, 1998.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Mary Dunlap stated that the Chief Investigator's position applications are being reviewed.

PUBLIC COMMENTS

Nancy Sheehan discussed case against the city.

HEARING AND DISPOSITION ON DISCIPLINARY CHARGES FILED AGAINST INSPECTOR WILLIAM C. VINCE, JUVENILE (FILE NO. C98-079 JWA)

The hearing of Inspector William C. Vince, Star No. 1974, Juvenile Division, was called it having been set for this date. Inspector Vince was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order, efficiency, and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

in a properly verified complaint by Fred H. Lau, Chief of Police of the San Francisco Police Department.

Inspector William C. Vince appeared in person and was represented by Mr. James Collins, Attorney at Law.

Mr. Jerry W. Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Inspector William C. Vince admits to the truth of the allegations and accepts responsibility for his acts.

Based on Inspector Vince's admission, the Commission requested a recommendation from Chief of Police Fred H. Lau. It is the recommendation of the Chief of Police that Inspector William C. Vince be suspended for 60 days, 30 days shall be held in abeyance for one (1) year on the following conditions: Inspector Vince shall maintain a standard of good conduct and that he not receive

sustained complaints of misconduct; that, Inspector Vince shall serve 30 days of the suspension and shall participate in a program of counseling and monitoring pursuant to Department General Order 11.11. This program shall be structured by the Commanding Officer of the Staff Services Division. The program shall require evaluation of what problems, if any, Inspector Vince may have with alcohol abuse, determine the appropriate prescription of counseling to deal with the problem, determine necessary follow up and make quarterly reports to the Commission concerning his participation in the program, and recommend the appropriate termination of the program; for three years, Inspector Vince shall not drive department vehicles other than during normal duty hours for his assignment and in no case shall he take a department vehicle for overnight use.

The Commission took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 88-98

**DECISION - HEARING OF INSPECTOR WILLIAM C. VINCE,
JUVENILE**

WHEREAS, on March 23, 1998, Fred H. Lau, Chief of Police of the San Francisco Police Department, made and served charges against Inspector William C. Vince, Star No. 1974, as follows:

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

- (1) At all times herein mentioned, William C. Vince, Star Number 1974, (referred to as "the accused") was a police officer, holding the rank of Inspector, employed by the San Francisco Police Department assigned to the Investigations Bureau, Juvenile Division;
- (2) As a member of the department, the accused was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;
- (3) On December 10, 1997, at 1837 hours, the accused drove a San Francisco Police Department unmarked motor vehicle northbound on U.S. Highway 101 South of the San Francisco International Airport off ramp, in an unincorporated area of San Mateo County, State of California. A California Highway Patrol Traffic officer (CHP officer) observed that the accused's automobile was driving halfway on the shoulder of Highway 101. Then as the CHP officer followed, the accused's vehicle weaved from side to side partially leaving the lane on one side and then crossing to the other side of the lane and weaving outside the lane marker;
- (4) The accused continued driving northbound on U.S. Highway 101 with the CHP officer following in traffic and attempting to catch up to the accused. The CHP officer observed the accused continue to weave from side to side. The CHP officer caught up to the accused, positioned his patrol vehicle behind the accused, and activated his forward red emergency lights. The accused did not react except to move toward the center lane of the roadway. The CHP officer activated his alternating headlights and the accused did not react. Finally the CHP officer activated his siren and the accused started moving toward the right side of the highway. The CHP officer used his vehicle's public address system to instruct the

accused to take the freeway exit to San Francisco International Airport. The accused disregarded the CHP officer's order to take the off-ramp and instead pulled over to the shoulder of the highway;

- (5) The CHP officer approached the accused and requested his drivers license. The accused handed the CHP officer his San Francisco Police Department star. The CHP officer asked again and the accused produced his drivers license. The accused failed to successfully complete the roadside sobriety tests administered after the stop. An inventory of the automobile the accused was driving revealed a half empty bottle of whiskey on the floor by the left rear seat of the car;
- (6) The CHP officer arrested the accused on December 10, 1997, at 1902 hours. After the accused was arrested, the accused agreed to take a breath test. The arresting officer transported the accused to the San Francisco Police Department, Airport bureau, to administer the test. When they arrived at the Airport, the arresting officer admonished the accused that the implied consent law set forth in California Vehicle Code §23157 required him to submit to his choice of a blood, a breath, or a urine test for the presence of alcohol in his blood. The accused then refused to submit to any test. The accused was transported to and booked at the San Mateo Sheriff's facility in Redwood City.
- (7) On December 10, 1997, after the accused was arrested, an investigator from the Management Control Division went to the San Mateo Sheriff's facility in Redwood City where he ordered the accused to submit a urine sample. The accused complied with the order and provided a urine sample at approximately 2330 hours on December 10, 1997. The urine sample was carried to a certified laboratory and tested at .22% of alcohol in the blood by weight (which equates to .170% after adjustment per the California Administrative Code);
- (8) California Vehicle Code §§ 23152(a) and (b), state:

“§23152. DRIVING UNDER THE INFLUENCE.
(a) It is unlawful for any person while under the influence of any alcoholic beverage or drug, or under the combined influence of any alcoholic beverage and drug, to drive a vehicle.

(b) It is unlawful for any person while having 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle.”
- (9) California Vehicle Code §23223 states:
§23223. POSSESSION OF OPEN CONTAINER IN MOTOR VEHICLE.
No person shall have in his or her possession, on his or her person, while in a motor vehicle upon a highway, any bottle, can, or other receptacle containing any alcoholic beverage which has been opened or a seal broken, or the contents of which have been partially removed.
- (10) The accused engaged in conduct which, in a criminal context, violates the California Vehicle Code by driving a motor vehicle while under the influence of alcoholic beverages and with more than 0.08 percent of alcohol by weight in his blood which violates §23152(a) and (b); by refusing to be tested after his arrest which violated California Vehicle Code §23157; and, by having an open container of alcohol in the car which violated California Vehicle Code §23223; any reasonable police officer must know that such

conduct violates the standards of the department and is cause for discipline or dismissal from employment; such conduct violates Rule 9 of Department General Order 2.01, which states:

MISCONDUCT. "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of an officer either within or without the State that tends to subvert the order, efficiency or discipline of the Department, or reflects discredit upon the Department or any member, or is prejudicial to the efficiency and discipline of the Department, though not specifically defined or set forth in Department policies and procedures, shall be considered unofficer-line conduct subject to disciplinary action."

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, October 21, 1998, when the matter was submitted to the Police Commission for decision; and

WHEREAS, based on Inspector Vince's admission, the Commission finds that the allegations contained in Specification No. 1, as preferred by Chief of Police Fred H. Lau against Inspector William C. Vince, are sustained; and the Commission adopts the sustained charges as its findings in this matter; therefore be it

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and discipline in the San Francisco Police Department, the Police Commission orders the following discipline be imposed:

SPECIFICATION NO. 1

Sustain

That Inspector William C. Vince be suspended for 60 days, 30 days shall be held in abeyance for one (1) year on the following conditions: Inspector Vince shall maintain a standard of good conduct and that he not receive sustained complaints of misconduct; that, Inspector Vince shall serve 30 days of the suspension and shall participate in a program of counseling and monitoring pursuant to Department General Order 11.11. This program shall be structured by the Commanding Officer of the Staff Services Division. The program shall require evaluation of what problems, if any, Inspector Vince may have with alcohol abuse, determine the appropriate prescription of counseling to deal with the problem, determine necessary follow up and make quarterly reports to the Commission concerning his participation in the program, and recommend the appropriate termination of the program; for three years, Inspector Vince shall not drive department vehicles other than during normal duty hours for his assignment and in no case shall he take a department vehicle for overnight use.

FURTHER RESOLVED, that said thirty (30) days suspension shall be served as follows:

- (1) From Friday, October 30, 1998, at 0001 hours, through Sunday, November 8, 1998, at 2400 hours;
- (2) From Friday, November 13, 1998, at 0001 hours, through Sunday, November 22, 1998, at 2400 hours;
- (3) From Friday, December 4, 1998, at 0001 hours, through Sunday, December 13, 1998, at 2400 hours.

If this decision is subject to review under Code of Civil Procedure section 1094.5, then the time and within which judicial review must be sought is

governed by California Code of Civil Procedure, section 1094.6.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

Thereafter, the meeting was adjourned at 5:40 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY, OCTOBER 28, 1998
6:00 p.m.

*PARK DISTRICT
Park Branch Library
1833 Page Street
San Francisco*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
 - a. Motion of Calendaring of New Items
4. Chief's Announcements and Review of Recent Department Events
5. OCC Director's Report re: Staffing, Budget and Summary of Recent Events
6. Captain John Newlin, Commanding Officer of Park Station, to address the Commission on Police Activities in the Park District
7. Public Comments
(Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)

** There will be Public Comments on any item before or during discussion of each item.*

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OCT 27 1998

SAN FRANCISCO
PUBLIC LIBRARY

S.F.P.D.
PARK STATION'S
ANNUAL
POLICE COMMISSION
MEETING
WEDNESDAY OCTOBER 28TH
6:00PM

PARK BRANCH LIBRARY'S
MEETING ROOM
1833 PAGE STREET

Captain John Newlin, Commanding Officer of Park Station, will address the Police Commission regarding the status of this district.

Come and meet the Police Commission. The public will be able to address them regarding their concerns.

The building is ADA approved

1912

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PHYSICS DEPARTMENT

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JUN 15 1999

SAN FRANCISCO
LIBRARYOCTOBER 28, 1998REGULAR MEETING

The Police Commission of the City and County of San Francisco met in the Park District, Park Branch Library, 1833 Page Street, San Francisco, at 6:05 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Chan, Perry
ABSENT: Commissioner Perry

POLICE COMMISSION ANNOUNCEMENTSa. Motion of Calendaring of New Items

Commissioner Norman greeted the audience. The Commission introduced themselves.

Chief Lau introduced the command staff.

OCC's River Ginchild-Abeje introduced herself.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

None.

OCC DIRECTOR'S REPORT RE: STAFFING, BUDGET AND SUMMARY OF RECENT EVENTS

None.

CAPTAIN JOHN NEWLIN, COMMANDING OFFICER OF PARK STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE PARK DISTRICT

Captain Newlin briefed the Commission on crime statistics for the district and described status of political activities in the district.

PUBLIC COMMENTS

Kirk Kelson discussed concerns regarding Buena Vista Park and the homeless.

Elizabeth Kershner discussed concerns.

Steven Oliva, resident, discussed concerns regarding homeless in the area.

Unidentified, resident, discussed problems regarding communications problems with officers.

Unidentified, merchant, commended Captain Newlin and officers of Park Station.

Unidentified discussed concerns regarding homeless.

Pablo Heizing supports Captain Newlin and officers of Park Station.

Michael Martin, resident, discussed concerns regarding homeless.

Karen Cromie discussed concerns regarding crime in the area.

Mara Hunter, resident, discussed concerns regarding actions of police.

James Beck discussed concerns regarding drugs and homeless and commended Captain Newlin and officers of Park Station

Louis Calabro discussed European American Police Officers Association.

Daniel Paez read a letter.

Thereafter, the meeting was adjourned at 6:05 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

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SAN FRANCISCO
PUBLIC LIBRARY

4/98
SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, NOVEMBER 4, 1998
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT MANUEL BARRETTA
Secretary

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6. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
7. Request of the Chief of Police for Approval to Execute a Hold Harmless Agreement with the U.S. Department of the Interior for a Special Use Permit on the Presidio
8. Public Comments
(Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, NOVEMBER 4, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

CONSENT CALENDAR

1. Request of the Chief of Police for Approval to Accept Donation of a 1988 Hyundai from Officer Sanjay Shastri, valued at approximately \$1500, to be utilized by the Vice Crimes Division

**There will be Public Comments on any item before or during discussion of each item.*

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NOVEMBER 4, 1998

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:35 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Petrillo, Perry

ABSENT: Commissioner Chan

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 89-98

APPROVAL TO ACCEPT DONATION OF A 1988 HYUNDAI FROM OFFICER SANJAY SHASTRI, VALUED AT APPROXIMATELY \$1500, TO BE UTILIZED BY THE VICE CRIMES DIVISION

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to accept a 1988 Hyundai from Officer Sanjay Shastri, valued at approximately \$1500, to be utilized by the Vice Crimes Division.

AYES: Commissioners Norman, Herrera, Petrillo, Perry

ABSENT: Commissioner Chan

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Commissioner Herrera will be out of town for the rest of November and will return November 30th.

There is no meeting next week.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau briefed the Commission on Halloween night.

Deputy Chief Holder briefed the Commission regarding arrests on Friday, 10/30/98. Lieutenant Crenshaw talked about drug activity in area of arrest.

Commissioner Perry arrived at 5:45 p.m.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap briefed the Commission regarding monitoring of Halloween and other demonstrations in the past week and commended her staff.

RESOLUTION NO. 90-98

APPROVAL AUTHORIZING THE CHIEF OF POLICE TO EXECUTE A HOLD HARMLESS AGREEMENT WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR CONTAINED IN A SPECIAL USE PERMIT FOR USE AND OCCUPANCY BY THE POLICE DEPARTMENT'S WILDERNESS PROGRAM AT FACILITY #1621 IN THE PRESIDIO

WHEREAS, the San Francisco Police Department wishes to continue use and occupancy of Facility 1621 in the Presidio; and

WHEREAS, the Special Use Permit requires execution of a hold harmless agreement with the United States Department of the Interior; now, therefore be it

RESOLVED, that the Police Commission urges the Board of Supervisors of the City and County of San Francisco to adopt a resolution authorizing the Chief of Police to execute a hold harmless agreement with the United States Department of the Interior.

AYES: Commissioners Norman, Herrera, Petrillo, Perry
ABSENT: Commissioner Chan

PUBLIC COMMENTS

Van Jones, Police Watch, discussed concerns regarding actions of police during arrests and service of search warrants and asked about guarantee safety regarding complaints of police; statement of sympathy; internal investigations regarding complaints.

Andre Dow discussed complains regarding dog being killed by police and other actions of police.

Barbara discussed concerns regarding actions of police.

Felicia Willis, resident, discussed actions of police.

Chester Sanders, resident, discussed concerns regarding actions of police.

Unidentified discussed actions of police.

Julie discussed actions of police.

Commissioner Petrillo left at 6:50 p.m.

Linda Yokeman, resident, discussed actions of police.

Sharon Jones, resident, discussed concerns regarding actions of police.

Bridgette Daniels complained regarding actions of police.

Carmen Johnson, resident manager, complained regarding actions of police.

Betty Coleman complained regarding actions of police.

Wayne Simms complained regarding actions of police.

Unidentified resident complained regarding actions of police.

Carlos read a statement regarding actions of police.

Thereafter, the meeting was adjourned.

Lieutenant Manuel Barretta

Secretary

THE POLICE COMMISSION

The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

CALENDAR OF PROCEEDINGS
POLICE COMMISSION MEETING

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

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There will be no Police Commission Regular Meeting on *Wednesday, November 11, 1998*. The next Police Commission Regular Meeting will be on *Wednesday, November 18, 1998*, at the Thomas J. Cahill Hall of Justice, 850 Bryant Street, Room 551, San Francisco, 5:30 p.m.

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She then presented the resignation of Diane Christiansen.
She then presented the 3rd Quarter Report.
John Crew, ACLU, discussed policy recommendations and asks for immediate action on recommendations. He further discussed concerns of the non-implementation of the Custody Death Task Force.

Van Jones, Police Watch, discussed concerns regarding actions of police during arrests and service of search warrants and asked about guarantee safety regarding complaints of police; statement of sympathy; internal investigations regarding complaints.

Andre Dow discussed complains regarding dog being killed by police and other actions of police.

Barbara discussed concerns regarding actions of police.

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Commissioner Petrillo left at 6:50 p.m.

Linda Yokeman, resident, discussed actions of police.

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Wayne Simms complained regarding actions of police.

Unidentified resident complained regarding actions of police.

Carlos read a statement regarding actions of police.

Thereafter, the meeting was adjourned.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

5
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CALENDAR OF PROCEEDINGS
POLICE COMMISSION MEETING

PAT NORMAN
President

DENNIS J HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT MANUEL BARRETTA
Secretary

There will be no Police Commission Regular Meeting on *Wednesday, November 11, 1998*. The next Police Commission Regular Meeting will be on *Wednesday, November 18, 1998*, at the Thomas J. Cahill Hall of Justice, 850 Bryant Street, Room 551, San Francisco, 5:30 p.m.

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She then presented the resignation of Diane Christiansen.
John Crew, ACLU, discussed policy recommendations and asks for immediate action on recommendations. He further discussed concerns of the non-implementation of the Custody Death Task Force.

CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, NOVEMBER 18, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Assignment of Commissioner and Setting of Date for Taking of Evidence on Disciplinary Charges filed against Officer Daniel Baker, Medical Liaison (File No. C98-252 JWA)
4. Police Commission Announcements
 - a. Motion of Calendaring of New Items
5. Chief's Announcements and Review of Recent Department Events
6. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
7. Presentation of OCC's July & August, 1998, and Third Quarter, 1998 Statistical Reports
8. Discussion and Action re: Revocation of Taxicab Permit Medallion of Mr. Mesfin Hailemariam
9. Public Comments
(Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

**There will be Public Comments on any item before or during discussion of each item.*

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(Chapter 67 of the San Francisco Administrative Code)

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She then presented the resignation of Diane Christiansen.
John Crew, ACLU, discussed policy recommendations and asks for immediate action on recommendations. He further discussed concerns of the non-implementation of the Custody Death Task Force.



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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, NOVEMBER 18, 1998
5:30 p.m.

- PAT NORMAN
President
- DENNIS J. HERRERA
Vice President
- SIDNEY CHAN
Commissioner
- EDWARD J. PETRILLO
Commissioner
- CONNIE PERRY
Commissioner
- LT. MANUEL BARRETTA
Secretary

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

1. Pledge of Allegiance
2. Roll Call
3. Assignment of Commissioner and Setting of Date for Taking of Evidence on Disciplinary Charges filed against Officer Daniel Baker, Medical Liaison (File No. C98-252 JWA)
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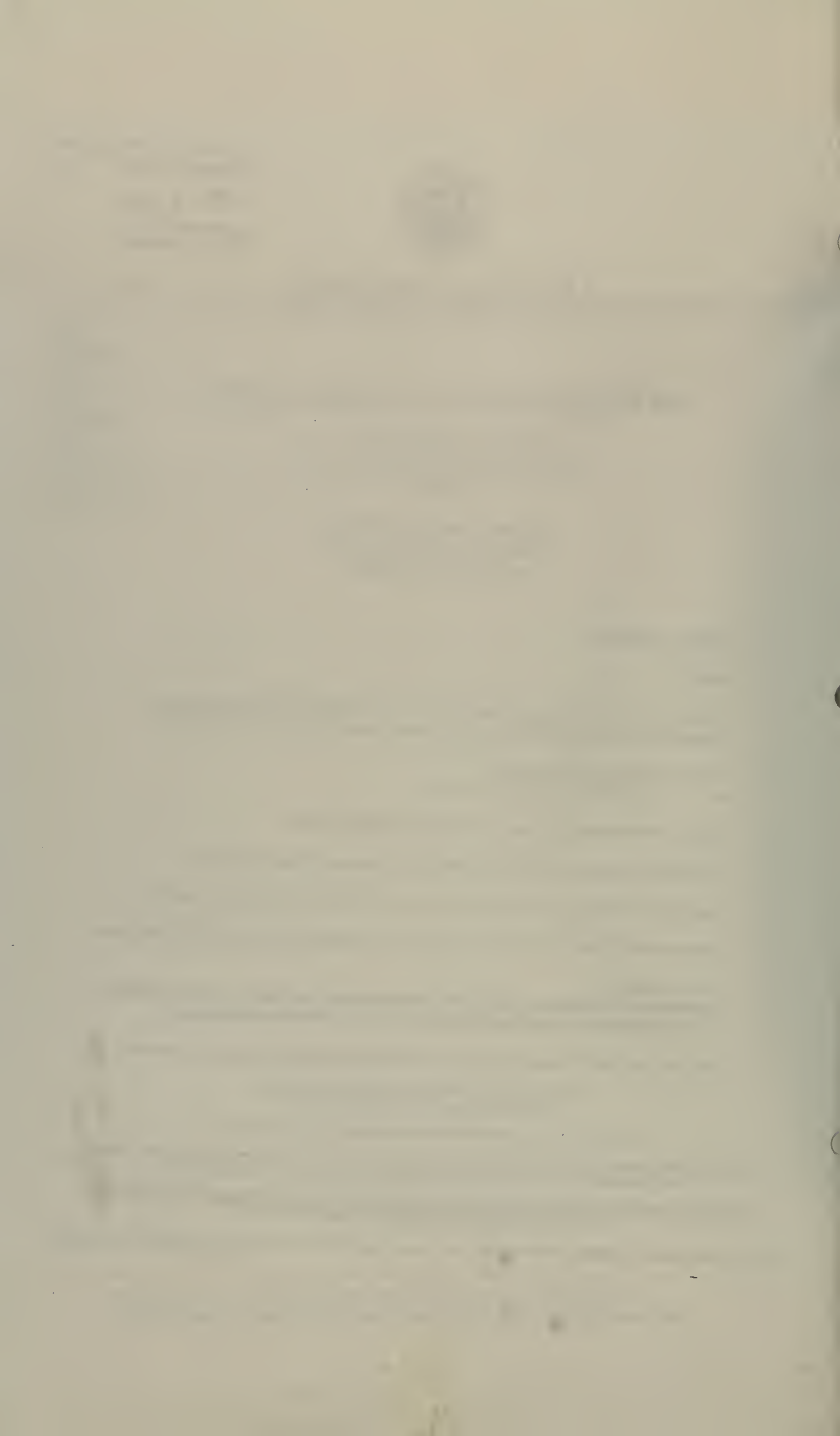
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She then presented the resignation of Diane Christiansen.
John Crew, ACLU, discussed policy recommendations and asks for immediate action on recommendations. He further discussed concerns of the non-implementation of the Custody Death Task Force.



JUN 15 1999

SAN FRANCISCO
PUBLIC LIBRARYNOVEMBER 18, 1998REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:35 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Chan, Petrillo, Perry
ABSENT: Commissioner Herrera

RESOLUTION NO. 91-98

**ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR
TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED
AGAINST OFFICER DANIEL BAKER, MEDICAL LIAISON (FILE NO.
C98-252 JWA)**

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in the disciplinary charges filed against Officer Daniel Baker, Medical Liaison, was called it having been set for this date; and

WHEREAS, Commissioner Sidney Chan is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Baker; therefore be it

RESOLVED, that Commissioner Chan is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Daniel Baker and is to be set at a later date.

AYES: Commissioners Norman, Chan, Petrillo, Perry
ABSENT: Commissioner Herrera

POLICE COMMISSION ANNOUNCEMENTSa. Motion of Calendaring of New Items

No meeting next week. Next meeting will be on December 2, 1998.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT
DEPARTMENT EVENTS

Assistant Chief Sanders stated that Chief Lau and most of the command staff are at the service for Sergeant Perdue.

Captains Dennis Martel, John Goldberg, and Susan Manheimer presented award to Karen Flood.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND
SUMMARY OF RECENT EVENTS

and

PRESENTATION OF OCC'S JULY AND AUGUST, 1998, AND THIRD
QUARTER, 1998 STATISTICAL REPORTS

OCC Director, Mary Dunlap, sends her condolences to the Perdue Family and best wishes to the family of Sgt. Ed. Geeter.

Director Dunlap stated that the new chief investigator will start on December 21st. She also announced the resignation of Diane Christiansen.

She then presented the 3rd Quarter Report.

John Crew, ACLU, discussed policy recommendations and asks for immediate action on recommendations. He further discussed concerns of the non-implementation of the Custody Death Task Force.

Commissioner Norman asked A/C Sanders to report on the Custody Death Task Force on December 2nd. Commissioner Perry will work with the department on policy and discuss revision consideration of General Order 5.01.

**REVOCATION OF TAXICAB PERMIT MEDALLION OF MESFIN
HAILEMARIAM**

PUBLIC COMMENTS re: Revocation

Barry Toronto, United Taxi Workers, asked Taxi Detail to continue investigations more quickly.

RESOLUTION NO. 92-98

**REVOCATION OF TAXICAB PERMIT MEDALLION OF MESFIN
HAILEMARIAM**

WHEREAS, on Wednesday, September 30, 1998, a permit revocation hearing was held regarding Taxicab Owners Permit #823;

WHEREAS, it is the recommendation of the Chief of Police to revoke the taxicab permit medallion of Mesfin Hailemariaam; so therefore be it

RESOLVED, that the Police Commission hereby accepts recommendation of the Chief of Police to revoke the taxicab permit medallion of Mesfin Hailemariaam; and

FURTHER RESOLVED, that the taxicab permit medallion of Mesfin Hailemariaam is hereby revoked.

AYES: Commissioners Norman, Chan, Petrillo, Perry
ABSENT: Commissioner Herrera

PUBLIC COMMENTS

Daniel Pacz discussed pie throwing incident regarding the Mayor and penalties of criminal charges against suspects.

Ruth Graffin discussed taxi regulation.

THEREAFTER, the meeting was adjourned at 6:45 p.m. in memory of Sgt. Perdue.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

5/98
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CALENDAR OF PROCEEDINGS
POLICE COMMISSION MEETING

PAT NORMAN
President

DENNIS J HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT MANUEL BARRETTA
Secretary

There will be no Police Commission Regular Meeting on *Wednesday, November 25, 1998*. The next Police Commission Regular Meeting will be on *Wednesday, December 2, 1998*, at the Thomas J. Cahill Hall of Justice, 850 Bryant Street, Room 551, San Francisco, 5:30 p.m.

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EDWARD J PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, DECEMBER 2, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

1. Pledge of Allegiance
2. Roll Call
3. Approval of Consent Calendar
4. Assignment of Commissioner and Setting of Date for Taking of Evidence on Disciplinary Charges filed against Sergeant Robert Hartmann, Support Services (File No. C98-258 JWA)
5. Police Commission Announcements
 - a. Motion of Calendaring of New Items
6. Chief's Announcements and Review of Recent Department Events
7. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
8. Public Comments
(Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, DECEMBER 2, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

CONSENT CALENDAR

1. Request of the Chief of Police for approval of Taxicab Permits for the following individuals:

George Blake	Joseph Botkin	Charles Brown, Jr.
Maxmillian David	Thomas Ferris	Peter Ho
Yonsoo Jung	Chun-sik Kim	Que Louie
Young Louie	Danny Phung	John Rallis
David Selwyn	Abdul Shokoor	Bui Tan
My Tan	Shun Wong	Ray Yagmour

2. Request of the Chief of Police for Approval to Accept donations of \$6,500.00 from The Guardsmen, and \$5,000.00 from the San Francisco Examiner Charities to be used by the San Francisco Police Department Wilderness Program

**There will be Public Comments on any item before or during discussion of each item.*

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SAN FRANCISCO
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The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:35 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Petrillo, Perry
ABSENT: Commissioner Norman

APPROVAL OF CONSENT CALENDARRESOLUTION NO. 93-98APPROVAL OF TAXICAB OWNER'S PERMITS

WHEREAS, the Police Commission, on September 4, 1996, as per Resolution 151-96, declared that Public Convenience & Necessity requires the issuance of 100 additional taxicab permits; therefore be it

RESOLVED, that the following individuals, based on their applications and the San Francisco Permit Bureau certifications, are qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and are hereby granted to:

George Blake	Joseph Botkin	Charles Brown, Jr.
Maxmillian David	Thomas Ferris	Peter Ho
Yonsoo Jung	Chun-sik Kim	Que Louie
Young Louie	Danny Phung	John Rallis
David Selwyn	Abdul Shokoor	Bui Tan
My Tan	Shun Wong	Ray Yagmour

AYES: Commissioners Herrera, Chan, Petrillo, Perry
ABSENT: Commissioner Norman

RESOLUTION NO. 94-98APPROVAL TO ACCEPT DONATION OF \$6,500.00 FROM THE GUARDSMEN TO BE USED BY THE SAN FRANCISCO POLICE DEPARTMENT WILDERNESS PROGRAM

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to accept a donation of \$6,500.00 from The Guardsmen to be used by the San Francisco Police Department Wilderness Program.

AYES: Commissioners Herrera, Chan, Petrillo, Perry
ABSENT: Commissioner Norman

RESOLUTION NO. 95-98APPROVAL TO ACCEPT DONATION OF \$5,000.00 FROM THE SAN FRANCISCO EXAMINER CHARITIES TO BE USED BY THE SAN FRANCISCO POLICE DEPARTMENT WILDERNESS PROGRAM

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to accept a donation of \$5,000.00 from the San Francisco to be used by the San Francisco Police Department Wilderness Program.

AYES: Commissioners Herrera, Chan, Petrillo, Perry
ABSENT: Commissioner Norman

RESOLUTION NO. 96-98

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED AGAINST SERGEANT ROBERT HARTMANN, SUPPORT SERVICES (FILE NO. C98-258)

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in the disciplinary charges filed against Sergeant Robert Hartmann, Star No. 39, Support Service Division, was called it having been set for this date; and

WHEREAS, Commissioner Pat Norman is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Sergeant Hartmann; therefore be it

RESOLVED, that Commissioner Norman is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Sergeant Robert Hartmann is to be set at a later date.

AYES: Commissioners Herrera, Chan, Petrillo, Perry
ABSENT: Commissioner Norman

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

None.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau asked that a meeting be set to discuss pepper spray and that same be calendared at a later date.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Dunlap stated that the OCC will be fully staffed on December 21st.

PUBLIC COMMENTS

John Crew, ACLU, discussed meeting to be held regarding pepper spray.
Mike McLune discussed concerns regarding pepper spray.
Mark Grueberg discussed taxi permits and corporate transfers.

Thereafter, the meeting was adjourned at 5:45 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION



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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, DECEMBER 9, 1998
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
 - a. Motion of Calendaring of New Items
 - b. Election of Officers
4. Chief's Announcements and Review of Recent Department Events
5. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
6. Public Comments
(Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)
7. Hearing and Disposition on Disciplinary Charges filed against Officer David Rios, Support Services (File No. C97-191 JWA)

**There will be Public Comments on any item before or during discussion of each item.*

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JUN 15 1999

SAN FRANCISCO
PUBLIC LIBRARYDECEMBER 9, 1998REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:40 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Chan, Petrillo, Perry

POLICE COMMISSION ANNOUNCEMENTS

- a. Motion of Calendaring of New Items
- b. Election of Officers

No meeting on December 23rd and 30th. Next meeting will be on January 6th.

Commissioner Petrillo nominated Commissioner Herrera as President, effective 1/1/99. Commissioner Herrera nominated Commissioner Chan as Vice President, effective 1/1/99.

RESOLUTION NO. 97-98ELECTION OF OFFICERS FOR THE POLICE COMMISSION

RESOLVED, that, effective January 1, 1999, the Police Commission elected Commissioner Dennis Herrera as President of the Police Commission and Commissioner Sidney Chan as Vice President.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

Commissioner Petrillo announced his resignation effective December 10th. Commissioner Herrera commended Commission Petrillo.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau congratulated Commissioners Herrera and Chan and thanked Commissioner Petrillo for his service.

The Chief briefed the Commission regarding power failure and stated that the department did well during the power failure.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Dunlap reported regarding staffing and stated the OCC is steadily closing cases. She also thanked Commissioner Norman for meeting regarding cases.

Ms. Dunlap thanked Officer James Custer for his assistance during the power outage of 12/8/98. She also thanked Commissioner Norman for her service with the OCC while president of the Commission and further thanked Commissioner Petrillo for his service while on the Commission and wished him well.

PUBLIC COMMENTS

Daniel Gareia, Jr., read a statement regarding Mark Gareia case.
Daniel Gareia, Sr., discussed concerns regarding Mark Gareia case.
Unidentified read a statement regarding Mark Gareia case.
Daniel Paez discussed concerns regarding actions of DA Terrence Hallinan.

Todd discussed concerns regarding actions of police.
Unidentified discussed concerns regarding Mark Gareia case.
Unidentified discussed concerns regarding Mark Gareia case.

Dale read a statement regarding Mark Garcia case.
George French discussed found property proposal.

Break taken from 6:30 p.m. to 6:40 p.m.

**HEARING OF OFFICER DAVID RIOS, SUPPORT SERVICES
(FILE NO. C97-191 JWA)**

The hearing of Police Officer David Rios, Star No. 1953, was called it having been set for this date. Officer Rios was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order, efficiency and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

in properly verified complaint by Fred H. Lau, Chief of Police of the San Francisco Police Department.

Officer David Rios appeared in person and was represented by Mr. Sean Connolly, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Officer Rios admitted to the specification contained in File No. C97-191 JWA. Officer Rios personally affirmed the admission in these matters and accepts responsibility for his acts.

Based on Officer Rios' plea, the Commission requested a recommendation from Chief of Police Fred H. Lau. It is the recommendation of the Chief of Police that Officer David Rios be terminated from his employment with the San Francisco Police Department; said termination shall be held in abeyance for four (4) years and that Officer Rios shall serve a 60-day suspension.

The Commission took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 98-98

DECISION-HEARING OF OFFICER DAVID RIOS, SUPPORT SERVICES

WHEREAS, on August 29, 1997, Fred H. Lau, Chief of Police of the San Francisco Police Department, made and served charges against Officer David Rios as follows:

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order, efficiency and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

- (1) At all times herein mentioned David Rios, Star Number 1953, (referred to as "the accused") was a police officer employed by the San Francisco Police Department assigned to Southern Station in the Field Operations Bureau;
- (2) As a member of the department, the accused was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;

- (3) On May 27, 1997, the accused was on duty working the 2100 hours through 0700 hours watch. At the beginning of the watch, the Platoon Commander surveyed the available personnel to staff the station that night. The Platoon Commander noticed that because of a shortage of personnel, there was no one scheduled for station duty after 2100 hours that night. The Platoon Commander reviewed the available personnel and observed that the accused was assigned as the only unit working with only one officer assigned that night and that the accused was scheduled to become the station keeper at 0100 hours for the balance of the watch. The Platoon Commander decided to assign the accused to fill that void and informed the accused of the change in his assignment from patrol to station duty for the period 2100 hours through 0100 hours;
- (4) When the Platoon Commander changed the accused's assignment, the accused objected and told the Platoon Commander that he should have a junior officer come in off the street to perform station duty, as he was too senior for assignment to station duty. The Platoon Commander repeated the change in assignment as an order and the accused became angry and told the Platoon Commander, "This is wrong."
- (5) The Platoon Commander left the station to perform patrol supervisory duties and some time later returned to Southern Station to do some paper work. The accused entered the Platoon Commander's office, shouted at the Platoon Commander, "This is wrong, you can't do this to me, I have been through this before and I am going to write a serateh." The accused displayed a high degree of anger toward the Platoon Commander, and the Platoon Commander forcefully informed the accused that the accused would have to assume any lawful duties he assigned to the accused. After this exchange, the accused became very distressed;
- (6) Shortly after this exchange, the Platoon Commander left Southern Station to supervise the patrol officers working on the street. At about 2300 hours, the Platoon commander received a message from another officer on his Mobile video Terminal stating that the accused had requested sick leave and had left the station. The accused did not request sick leave from the Platoon Commander or even tell the Platoon Commander that he was going home, but sought permission from an off duty lieutenant to subvert the chain of command, orderly personnel procedures and the lawful order of the Platoon Commander;
- (7) The accused, by taking sick leave without the permission of the Platoon Commander because he did not like the duties he was ordered to perform, violated Rule 10 of department General order 2.01 which states:
- "Written Orders. Members shall obey all written orders, policies and procedures of the Department, and promptly obey all lawful written or verbal directives of superiors."
- (8) The accused, by being disrespectful to, arguing with and threatening the platoon commander, violated Rule 13 of department General Order 2.01 which states:
- "RESPECTFULNESS. Members shall be respectful to superiors at all times."
- (9) The accused has been disciplined eight times in the past six years for similar behavior and other serious misconduct, which requires that this Police Commission hear and decide this matter as part of the accused's continuing pattern of behavior;
- (10) The accused by his insubordinate and disrespectful conduct when given a lawful order described above engaged in conduct which subverts the good order, efficiency and discipline of the department and brings discredit on

the department in a way that any reasonable police officer must know violates the standards of the department and is cause for discipline or dismissal from employment; therefore, such conduct violates Rule 9 of Department General Order 2.01, which states:

MISCONDUCT. "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of an officer either within or without the State that tends to subvert the order, efficiency or discipline of the Department, or reflects discredit upon the Department or any member, or is prejudicial to the efficiency and discipline of the Department, though not specifically defined or set forth in Department policies and procedures, shall be considered unofficer-like conduct subject to disciplinary action."

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on August 6, 1998 and August 7, 1998, and on December 9, 1998 where the matter was submitted to the Police Commission for decision; and

WHEREAS, based on Officer David Rios' admission, the Commission finds the allegations contained in Specification No. 1 as preferred by Chief of Police Fred H. Lau against Officer Rios are sustained; and the Commission adopts the sustained specification as its findings in this matter; therefore be it

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and discipline in the San Francisco Police Department, the Police Commission orders the following discipline be imposed:

SPECIFICATION NO. 1

Sustain

That Officer David Rios be terminated from his employment with the San Francisco Police Department; said termination shall be held in abeyance for four (4) years and that Officer Rios be suspended for sixty (60) days;

FURTHER RESOLVED, that said sixty (60) day suspension shall commence on Saturday, December 26, 1998, at 0001 hours, and terminate on Tuesday, February 23, 1999, at 2400 hours.

If this decision is subject to review under Code of Civil Procedure section 1094.5, then the time and within which judicial review must be sought is governed by California Code of Civil Procedure, section 1094.6.

AYES: Commissioners Norman, Herrera, Chan, Petrillo, Perry

(The proceedings were taken down in shorthand form by Mr. Dave Davenport, CSR.)

Thereafter, the meeting was adjourned.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

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SAN FRANCISCO POLICE COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING
THURSDAY, DECEMBER 10, 1998
10:30 a.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

- PAT NORMAN
President
- DENNIS J. HERRERA
Vice President
- SIDNEY CHAN
Commissioner
- EDWARD J. PETRILLO
Commissioner
- CONNIE PERRY
Commissioner
- LT. MANUEL BARRETTA
Secretary

Taking of Evidence by the Police Commission on Disciplinary Charges filed against
Officer E. R. Balinton, Narcotics (File No. C96-178[330] JWA)



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, DECEMBER 16, 1998
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

PAT NORMAN
President

DENNIS J. HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J. PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT. MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Approval of Consent Calendar
4. Police Commission Announcements
 - a. Motion of Calendaring of New Items
5. Chief's Announcements and Review of Recent Department Events
6. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
7. Discussion and Action re: Sale of Patrol Special Beats #10 and #20, from Dolores Taureck-Andrus to Patrol Special Officer Robert L. Burns
8. Public Comments
(Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

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*There will be Public Comments on any item before or during discussion of each item.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, DECEMBER 16, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

CONSENT CALENDAR

1. Request of the Chief of Police for Approval to Accept donation of a Colt AR-15A3 Rifle, valued at \$800.00, from Deputy Chief Joaquin Santos, for used of the San Francisco Police Department
2. Request of the Chief of Police for Approval to Issue Taxicab Owner's Permits for the following individuals:

Afshar, Amir M.	Afshari, Bijan	Ahmadi, Abdul	Alash, Saad
Alkashef, Essam	Arnold, Richard W.	Arvin, Homayoon	Badrous, Ayad B.
Bazouzi, Antoun N.	Behpour, Alireza	Belay, Dilargachew	Beresnev, Alexander
Bhatti, Harjinder	Bingham, Lucious	Bones, Bruce	Borzello, Joe
Byrd, Evern	Cariglino, Michael	Chan, Stephe	Chang, Jimmy Z.
Chang, Michael	Chasin, Loren	Datlag, Reynaldo	Davis, Robert E.
Dehais, Gerard	Deisieh, Marwan	Chatikul, Veera	Chen, Chiu
Cheung, Danny	Cheung, Raymond	Chiu, Chung M.	Chong, Tae W.
Chow, Kin Y.	Chow, David Y.	Chu, Josephine	Chung, Ok K.
Clearwater, Marc	Ellers, David	Elmashni, Mahfouz	Erhail, Mohd
Fazli, Shahabuddin	Fried, John	Fung, Hong	Gasim, Farouk
Gillespie, James R.	Haase, David	Hattan, John W.	Huey, Wayne
Huey, Roland	Huey, Kelvin	Housman, Tara	Hollis, Wesley
Ho, Kwok	Ho, Jamie	Higgins, Jerome	Jit, Inder
Johnson, Allen	Kamenov, Kamen	Kaplun, Semyon	Kayed, Isam
Kim, Myong	Kwan, Leon	Lam, James	Lam, Man
Lau, Hanley	Le, Binh Quang	Lee, Bob	Achilleos, Philip
Lee, Richard	Lehmann, Edward	Leo, Simon	Liddell, Vernon W

PAT NORMAN
President

DENNIS J HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT MANUEL BARRETTA
Secretary



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, DECEMBER 16, 1998
5:30 p.m.

*Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California*

CONSENT CALENDAR

Loftis, Joseph	Lorenzen, Michael	Louie, Lip	Lui, Alvin
Lui, Charles	Lui, Lance	Ly, Huynh	Lundberg, Clifford
Ma, Albert Y	Maksoud, Abdel	Dennis, McNeill	Marinov, Ivaylo
Miller, Bruce R	Montana, Blithe	Naresh, Ram	Nguyen, Diane
Mar, Martin	Mak, Bill	Mirzakashani, Ali	Nguyen, Son
Nguyen, Steven	Nguyen, Thanh	Pan, Eugene	Nguyen, Chau
Nguyen, Francis	Ou, Phillip	Phan, Thanh	Phelan, Llewellyn
Poon, Greg	Phung, Paul	Rahimi, Abdul	Rahman, Mizan
Rantanen, Gilbert	Raskin, Keith	Reungchai, Pisal	Riggs, Alfred
Rotter, Charles	Saw, Reginald	Sandhu, Bhan	Schuler, John
Shah, Bharat	Seeto, James	Shah, Bhavna	Shah, Haresh
Sharp, Gary	Shiman, Alexander	Shinn, Earnest W	Singh, Faqir
Singh Jatinder	Singh, Tara	Skinner, John	Slone, William
Song, Dong	Spain, Michael	Stallings, Darnee	Sullivan, John
Suzuki, Yasud	Szmokaluk, Wallace	Tan, Stephen	Teele, Gary
Tehrani, Hossein	Tesfa, Hailemariam	Tessema, Tibebe	Tsaousis, Leon
Tran, Anthony	Tran, Phat	Tran, Phillip	Tongco, Sylvia
Tse, Wing	Vanderheyden, Theo	Velez, Jimmy	Vo, Dan Van
Wagner, David	Walter, Wardell	Ward, Phillip	Tam, Wilson
Wilson, Michael	Woo, Michael	Wong, Jimmy	Wong, Robinson
Yuthok, Gyalden	Zaru, Zuhair	Zeng, Xin-Yuan	Zhubokrug, Vladimir
Giorgi, Mark	Choy, Arthur	Callau, Teresa	Hidalgo, Eduardo
Khan, Mohammad Azam		Hart, Richard	Jacobson, Ralph.

PAT NORMAN
President

DENNIS J HERRERA
Vice President

SIDNEY CHAN
Commissioner

EDWARD J PETRILLO
Commissioner

CONNIE PERRY
Commissioner

LT MANUEL BARRETTA
Secretary



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DECEMBER 16, 1998REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in a Regular Meeting.

PRESENT: Commissioners Norman, Herrera, Chan, Perry

APPROVAL OF CONSENT CALENDARRESOLUTION NO. 99-98APPROVAL TO ACCEPT DONATION OF A COLT AR-15A3 RIFLE, VALUED AT \$800.00, FROM DEPUTY CHIEF JOAQUIN SANTOS, FOR THE USE OF THE SAN FRANCISCO POLICE DEPARTMENT

RESOLVED, that the request of the Chief of Police for approval to accept donation of a Colt AR-15A3 rifle, valued at \$800.00, from Deputy Chief Joaquin Santos, for the use of the San Francisco Police Department, is hereby approved.

AYES: Commissioners Norman, Herrera, Chan, Perry

RESOLUTION NO. 93-98APPROVAL OF TAXICAB OWNER'S PERMITS

WHEREAS, the Police Commission, on July 29, 1998, Resolution No. 66-98, declared that Public Convenience & Necessity requires the issuance of additional taxicab permits; therefore be it

RESOLVED, that the following individuals, based on their applications and the San Francisco Permit Bureau certifications, are qualified to hold a motor vehicle for hire permit, that said taxicab owner's permit shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and are hereby granted to the following individuals:

Afshar, Amir M.	Afshari, Bijan	Ahmadi, Abdul	Alash, Saad
Arnold, Richard W.	Arvin, Homayoon	Badrous, Ayad B.	Bazouzi, Antoun
Behpour, Alireza	Belay, Dilargachew	Beresnev, Alexander	Bhatti, Harjinder
Bingham, Lucious	Bones, Bruce	Borzello, Joe	Byrd,
EvernCariglino, Michael	Chan, Stephe	Chang, Jimmy Z.	Chang, Michael
Datlag, Reynaldo	Davis, Robert E.	Dehais, Gerard	Deisich, Marwan
Chatikul, Vecera	Chen, Chiu	Cheung, Danny	
Cheung, Raymond	Chiu, Chung M.	Chong, Tae W.	Chow, Kin Y.
Chow, David Y.			
Chu, Josephine	Chung, Ok K.	Clearwater, Marc	Ellers, David
Elmashni, Mahfouz	Erhail, Mohd	Fazli, Shahabuddin	Fried, John
Fung, Hong	Gasim, Farouk	Gillespie, James R.	Haase, David
Hattan, John W.	Huey, Wayne	Huey, Roland	Huey, Kelvin
Housman, Tara	Hollis, Wesley	Ho, Kwok	Ho, Jamie
Higgins, Jerome	Jit, Inder	Johnson, Allen	Kamenov, Kamen
Kaplun, Semyon	Kayed, Isam	Kim, Myong	Kwan, Leon
Lam, James	Lam, Man	Lau, Hanley	Le, Binh Quang
Lee, Bob	Achilleos, Philip	Lee, Richard	Lehmann, Edward
Leo, Simon	Liddell, Vernon W	Loftis, Joseph	Lorenzen, Michael
Louie, Lip	Lui, Alvin	Lui, Charles	Lui, Lance
Ly, Huynh	Lundberg, Clifford	Ma, Albert Y	Maksoud, Abdel
Dennis, McNeill	Marinov, Ivaylo	Miller, Bruce R	Montana, Blithe
Naresh, Ram	Nguyen, Diane	Mar, Martin	Mak, Bill
Mirzakashani, Ali	Nguyen, Son	Nguyen, Steven	Nguyen, Thanh
Pan, Eugene	Nguyen, Chau	Nguyen, Francis	Ou, Phillip
Phan, Thanh	Phelan, Llewellyn	Poon, Greg	Phung, Paul
Rahimi, Abdul	Rahman, Mizan	Rantanen, Gilbert	Raskin, Keith
Reungehai, Pisal	Riggs, Alfred	Rotter, Charles	Saw, Reginald
Sandhu, Bhan	Sehuler, John	Shah, Bharat	Seeto, James
Shah, Bhavna	Shah, Haresh	Sharp, Gary	Shiman, Alexander
Shinn, Earnest W	Singh, Faqir	Singh Jatinder	Singh, Tara

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Skinner, John	Stone, William	Song, Dong	Spain, Michael
Stallings, Darnee	Sullivan, John	Suzuki, Yasud	Szmokaluk, Wallace
Tan, Stephen	Teele, Gary	Tehrani, Hossein	Tesfa, Hailemariam
Tessema, Tibebe	Tsaousis, Leon	Tran, Anthony	Tran, Phat
Tran, Phillip	Tongco, Sylvia	Tse, Wing	Vanderheyden, Theo
Velez, Jimmy	Vo, Dan Van	Wagner, David	Walter, Wardell
Ward, Phillip	Tam, Wilson	Wilson, Michael	Woo, Michael
Wong, Jimmy	Wong, Robinson	Yuhok, Gyalden	Zaru, Zuhair
Zeng, Xin-Yuan	Zhubokrug, Vladimir	Giorgi, Mark	Choy, Arthur
Callau, Teresa	Hidalgo, Eduardo	Khan, Mohammad Azam	Hart, Richard
Jacobson, Ralph	Alkashef, Essam	Chasin, Loren	

AYES: Commissioners Norman, Herrera, Chan, Perry

PUBLIC COMMENTS re: Taxi Issue

Ron Wolter against 20 cab medallions.
Officer Farrell Suslow responded.

POLICE COMMISSION ANNOUNCEMENTS

a. **Motion of Calendaring of New Items**

Commissioner Herrera asked that the budget update be calendared in January. No meetings on December 23rd and 30th. The next meeting will be on January 6th.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Deputy Chief Weleh for Chief Lau. No report.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

None.

RESOLUTION NO. 101-98

SALE OF PATROL SPECIAL BEATS #10 AND #20, FROM DOLORES TAURECK-ANDRUS TO PATROL SPECIAL OFFICER ROBERT L. BURNS

RESOLVED, that the Police Commission hereby approves sale of Patrol Special Beats #10 and #20, from Dolores Taureck-Andrus to Patrol Special Officer Robert L. Burns.

AYES: Commissioners Norman, Herrera, Chan, Perry

PUBLIC COMMENTS

Barry Taranto discussed taxi permit issues.
Ron Walter discussed taxi issues and granting of new permits.

Thereafter, the meeting was adjourned at 5:55 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

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The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

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CALENDAR OF PROCEEDINGS
POLICE COMMISSION MEETING

- FAT NORMAN
President
- DENNIS J. HERRERA
Vice President
- SIDNEY CHAN
Commissioner
- EDWARD J. PETRILLO
Commissioner
- CONNIE PERRY
Commissioner
- LT. MANUEL BARRETTA
Secretary

There will be no Police Commission Regular Meetings on *Wednesday, December 23rd and 30, 1998*. The next Police Commission Regular Meeting will be on *Wednesday, January 6, 1999*, at the Thomas J. Cahill Hall of Justice, 850 Bryant Street, Room 551, San Francisco, 5:30 p.m.

